

GLOUCESTER CITY COUNCIL CALENDAR OF BUSINESS

TUESDAY, March 22, 2016

7:00 P.M.

KYROUZ AUDITORIUM, CITY HALL

COUNCIL MEETING #2016-006

MEETINGS ARE RECORDED



FLAG SALUTE & MOMENT OF SILENCE

ORAL COMMUNICATIONS

PRESENTATIONS/COMMENDATIONS

Interim Superintendent William Lupini of North Shore Agricultural & Technical School District re: FY2017 Budget

CONFIRMATION OF NEW APPOINTMENTS

Historical Commission	Jude Seminara (Alternate Member)	TTE 02/14/19
Downtown Development Commission	Paul T. Russo	TTE 02/14/19

CONSENT AGENDA

ACTION

• ***CONFIRMATION OF REAPPOINTMENTS***

Affordable Housing Trust	Mary John Boylan	TTE 02/14/19
Clean Energy Commission	Linda Stout-Saunders	TTE 02/14/18
Conservation Commission	Ann-Jo Jackson	TTE 02/14/19
Planning Board	Joseph Orlando, Sr.	TTE 02/14/21
Shellfish Advisory Commission	Ann-Jo Jackson (ConCom Rep)	TTE 02/14/19

• ***MAYOR'S REPORT***

1. Special Budgetary Transfer Request (#2016-SBT-12) from the Legal Department (Refer B&F)
2. Memorandum and Supplemental Appropriation-Budgetary Request (#2016-SA-23) from DPW Director (Refer B&F)
3. Memorandum from City Auditor re: City's FY2015 Basic Financial Statements (Refer B&F)
4. Memorandum, Grant Application and Checklist from Police Chief re: FY16 Dept. of Public Health, Bureau of Substance Abuse Services, Legislative Earmarks Program, with a maximum obligation of \$100,000 (Refer B&F)
5. Reappointment: Director of Veterans' Services/Veterans' Agent (TTE 02/14/18) Adam Curcuru (Refer O&A)
6. New Appointments: Magnolia Woods Oversight & Advisory Committee (TTE 02/14/19) Jack Palazola
Fisheries Commission (TTE 02/14/19) William S. Muniz
Planting Committee (TTE 02/14/19) Carolyn Benson (Refer O&A)

• ***COMMUNICATIONS/INVITATIONS***

1. Letter from Barbara Silberman, Chair of Save Our Shores Gloucester to City Council President (Info Only)

• ***INFORMATION ONLY***

• ***APPLICATIONS/PETITIONS***

1. PP2016-005: Request from National Grid to install underground conduit from pole #1294 to 16 Cambridge Ave. (Refer P&D)

• ***COUNCILLORS ORDERS***

• ***APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS***

1. City Council Meeting: 03/08/16 (Approve/File)
2. Standing Committee Meetings: B&F 03/17/16 (under separate cover), O&A 03/14/16, P&D 03/16/16 (Approve/File)

STANDING COMMITTEE REPORTS

ACTION

B&F 03/17/16, O&A 03/14/16, P&D 03/16/16

Individual items from committee reports may be consolidated into a consent agenda

SCHEDULED PUBLIC HEARINGS

1. PH2016-008: Amend GZO to correct a grammatical error and several critically important sections that were inadvertently omitted to Sec. 5.27 et al entitled "Medical Marijuana Treatment Centers and Medical Marijuana Cultivation Facilities (TBC 04/26/16)
2. PH2016-009: Amend GCO Chapter 22, Sec. 22-269 "Stop Intersections" by **ADDING** stop signs at the intersection of Perkins & Mt. Vernon Streets

3. PH2016-010: Amend GCO Sec. 2-258 by **DELETING** the section in its entirety and **ADDNG** a sentence to Sec. 2-256(b) as a new subsection (7) and **ADDING** a new subsection entitled "Division 15(a), Sec. 2-258 "Magnolia Pier Advisory Committee
4. PH2015-049: Petition for road repairs in accordance with GCO Article IV "Repair of Private Ways" Sec. 21-80 et seq
re: Oxford Road

(cont'd from 12/15/15)

FOR COUNCIL VOTE

UNFINISHED BUSINESS

INDIVIDUAL COUNCILLOR'S DISCUSSION INCLUDING REPORTS BY APPOINTED COUNCILLORS TO COMMITTEES

COUNCILLOR'S REQUESTS TO THE MAYOR

ROLL CALL – Scott Memhard



Linda T. Lowe, City Clerk

Meeting dates are subject to change. Check with City Clerk's Office

Joint Meeting of City Council & School Committee, March 24, 2016
NEXT REGULAR CITY COUNCIL MEETING, April 12, 2016

Minutes filed in City Clerk's Office of other Boards and Commissions March 4, 2016 through March 17, 2016:

Board of Assessors 02/25/16, 03/03/16, Board of Health 02/03/16, 02/04/16, Licensing Commission 01/07/16

NOTE: The Council President may rearrange the Order of Business in the interest of public convenience.

The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

City Hall
Nine Dale Avenue
Gloucester, MA 01930



TEL 978-281-9700
FAX 978-281-9738
stheken@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TO: City Council
FROM: Sefatia Romeo Theken, Mayor
DATE: March 10, 2016
RE: Mayor's Report for the March 22, 2016 City Council Meeting

16 MAR 17 AM 8:01
CITY CLERK
GLOUCESTER, MA

Councillors:

Matters requiring your attention and action are as follows:

Enclosure 1 is a Special Budgetary Transfer Request (**#2016-SBT-12**) from the Legal Department. *Please refer #2016-SBT-12 to the **Budget and Finance** subcommittee for review and approval.* Appropriate City staff will be available to answer questions and provide further information as required.

Enclosure 2 is a Memorandum and Supplemental Appropriation-Budgetary Request (**#2016-SA-23**) from Director of Public Works Michael Hale. *Please refer this matter and #2016-SA-23 to the **Budget and Finance** subcommittee for review and approval.* Appropriate City staff will be available to answer questions and provide further information as required.

Enclosure 3 is a memorandum from City Auditor Kenny Costa regarding the City of Gloucester's FY2015 Basic Financial Statements. *Please refer this matter to the **Budget and Finance** subcommittee for review and approval.* Appropriate City staff will be available to answer questions and provide further information as required.

Enclosure 4 is a memorandum and Grant Application and Checklist from Police Chief Leonard Campanello regarding FY16 Department of Public Health, Bureau of Substance Abuse Services, Legislative Earmarks Program, with a maximum obligation of \$100,000. *Please refer this matter to the **Budget and Finance** subcommittee for review and approval.* Chief Campanello will be available to answer questions and provide further information as required.

It has come to our attention that Director of Veterans' Services/Veterans' Agent Adam Curcuru was not put forward for reappointment during the reappointment process. Since being hired as the City's Veterans' Agent in 2014, Adam has done an exemplary job for the City. Therefore, it is with great pleasure that I recommend Adam Curcuru for reappointment as the City of Gloucester's Veterans Agent for a two year term, to expire 2/14/2018. Included as **Enclosure 5** is a copy of the Veterans Agent job description as well as other pertinent information. *Please refer this matter to the **Ordinance and Administration** subcommittee for approval.*

City Hall
Nine Dale Avenue
Gloucester, MA 01930



TEL 978-281-9700
FAX 978-281-9738
stheken@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

Boards, Committees & Commissions:

We are respectfully requesting that the City Council approve the following **new** appointments:

Magnolia Woods Oversight and Advisory Committee – three years, term to expire 2/14/2019

Jack Palazola

Fisheries Commission – three years, term to expire 2/14/2019

William S. Muniz

Planting Committee – three years, term to expire 2/14/2019

Carolyn Benson

Enclosure 6 contains relevant material pertaining to these new appointments. *Please refer these matters to the **Ordinance and Administration** subcommittee for review and approval.*

ENCLOSURE 1

ENCLOSURE 2

28 POPLAR STREET
GLOUCESTER, MA 01930



TEL 978-281-9785
FAX 978-281-3896
mhale@gloucester-ma.gov

CITY OF GLOUCESTER
DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

To: James Destino, Chief Administrative Officer
From: Michael B. Hale, AICP, Director of Public Works
Date: 25 February-2016

RE: Roof Repairs Gloucester Police Station – Court House

Public Works is requesting \$120,000.00 of capital funds from the Building Maintenance Stabilization Fund 860000 to be transferred to Facilities 472. . .52410. The purpose of funding is to replace approximately 5,100 sq.ft of roof on the police station/ court house building. The entire roof at this facility is past its useful life expectancy and is in need of replacement, but this particular section is no longer serviceable and is causing frequent issues within the court offices..

Please do not hesitate to contact this office if you have any questions.

City of Gloucester
SUPPLEMENTAL APPROPRIATION - BUDGETARY REQUEST
Fiscal Year 2016

****CITY COUNCIL APPROVAL- 6 VOTES NEEDED****

APPROPRIATION # 2016-SA- 23 Auditor's Use Only

DEPARTMENT REQUESTING TRANSFER: _____ Mayor/DPW

APPROPRIATION AMOUNT: \$ 120,000.00

Account to appropriate from:	Unfund Account #	<u>860000.10.991.59600.0000.00.000.00.059</u>
	Account Description	<u>Building Maintenance Stabilization Fund</u>
Balance Before Appropriation	\$	<u>460,163.00</u>
Balance After Appropriation	\$	<u>340,163.00</u>

Account Receiving Appropriation:	Unfund Account #	<u>To be determined by City Auditor</u>
	Account Description	<u>Police Station Roof Repair Fund</u>
Balance Before Appropriation	\$	<u>-</u>
Balance After Appropriation	\$	<u>120,000.00</u>

DETAILED ANALYSIS OF NEED(S): Replace approximately 5,100 Sq Ft of roof on Police Station/Courthouse

APPROVALS:

DEPT. HEAD: [Signature] DATE: 3/14/16

ADMINISTRATION: [Signature] DATE: 3/15/2016

BUDGET & FINANCE: _____ DATE: _____

CITY COUNCIL: _____ DATE: _____

ENCLOSURE 3

City Hall
Nine Dale Avenue
Gloucester, MA. 01930



TEL 978 281 9730
FAX 978 281 8472

CITY OF GLOUCESTER
CITY AUDITOR'S OFFICE

MEMORANDUM

TO: Honorable Mayor Sefatia Romeo Theken and City Council
FROM: Kenny Costa, City Auditor *KC*
RE: City's FY 2015 Basic Financial Statements
Date: March 11, 2016

The City of Gloucester's Independent Auditors' Report on Basic Financial Statements and Required Supplementary Information Report for the fiscal year ended June 30, 2015 will be available for discussion at the next Budget & Finance Committee Meeting. At the close of each fiscal year, state law requires the City of Gloucester to publish a complete set of financial statements in conformity with accounting principles generally accepted in the United States of America (GAAP), and that are audited in accordance with generally accepted auditing standards by a firm of licensed certified public accountants.

The report is designed to be used by the elected and appointed officials of the City and others who are concerned with its management and progress such as bond analysts, banking institutions and rating agencies as well as the residents and taxpayers of Gloucester.

The City's financial statements have been audited by Roselli, Clark & Associates a firm of licensed certified public accountants, who report to the Gloucester City Council.

A copy of the entire report will be on file in the City Clerk's Office.

Please refer this matter to the Budget and Finance subcommittee for review and discussion.

ENCLOSURE 4



GLOUCESTER POLICE DEPARTMENT
Office of the Chief of Police
197 Main Street
Gloucester, MA 01930

Chief Leonard Campanello
(978)281-9775

Memorandum

March 10, 2016

To: Mayor Sefatia Romeo Theken

From: Chief Leonard Campanello

RE: FY16 Dept. of Public Health, Bureau of Substance Abuse Services

Mayor Romeo Theken,

Please find our approved contract for the FY16 Substance Abuse Legislative Earmarks Program with a maximum obligation of \$100,000. I respectfully ask that it be approved to accept.

Respectfully,

Leonard Campanello
Chief of Police



**City of Gloucester
Grant Application and Check List**

Granting Authority: State Federal _____ Other _____

Name of Grant: Substance Abuse Legislative Earmarks Program

Department Applying for Grant: Police

Agency-Federal or State application is requested from: MA Dept. Public Health

Object of the application: Provide funding for the Gloucester Initiative Angel Program

Any match requirements: None

Mayor's approval to proceed: *[Signature]* 3/14/2016
Signature Date

City Council's referral to Budget & Finance Standing Committee: _____
Vote Date

Budget & Finance Standing Committee: _____
Positive or Negative Recommendation Date

City Council's Approval or Rejection: _____
Vote Date

City Clerk's Certification of Vote to City Auditor: _____
Certification Date

City Auditor:
Assignment of account title and value of grant: _____
Title Amount

Auditor's distribution to managing department: _____
Department Date sent

NOTE: A copy of all grant paperwork must be submitted to the Auditor's Office

FORM: AUDIT GRANT CHECKLIST – V.1



Edited with Infix PDF Editor
- free for non-commercial use.

To remove this notice, visit:
www.iceni.com/unlock.htm



**City of Gloucester
Grant Application and Check List (Continued)**

The following are documents needed by the Auditing Office for grant account creation:

- 1. Grant Application**
- 2. Grant Award Letter/Standard Contract Approval Form**
- 3. Council Order Approval**
- 4. Original Grant Account Budget as approved by Grantor**
- 5. Amended Grant Account Budget as approved by Grantor (if applicable)**
- 6. Any additional information as requested by the Auditing Department**

Note: All documents must be complete signed copies.

Please attach the following documents with the Grant Application and Check List and send to the Auditors' Office.

CITY OF GLOUCESTER

ACCOUNT BUDGET

DEPARTMENT NAME: City of Gloucester Police Department

ACCOUNT NAME: FY16 Substance Abuse Legislative Earmarks Program

FUND NUMBER AND NAME: (N/A FOR NEW FUND) N/A

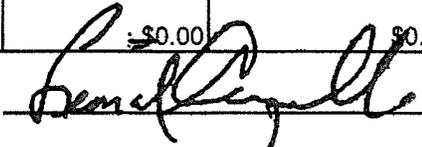
CFDA # (Required for Federal Grants): _____

DATE PREPARED: 3/10/16

**APPROVED
AMENDED BUDGET**

OBJECT	ORIGINAL BUDGET	(IF APPLICABLE)	AMENDED REQUEST	REVISED BUDGET	
REVENUE (4_____)					
46800	\$100,000.00			\$100,000.00	\$0.00
					\$0.00
					\$0.00
Total:	\$100,000.00	\$0.00	\$0.00	\$100,000.00	\$0.00
EXPENSE (5_____)					
52000	\$50,000.00			\$50,000.00	\$0.00
25820	\$50,000.00			\$50,000.00	\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
Total:	\$100,000.00	\$0.00	\$0.00	\$100,000.00	\$0.00

DEPARTMENT HEAD SIGNATURE



DATE ENTERED (AUDIT) _____

AUDITING DEPARTMENT INITIALS _____



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108-4619

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

MARYLOU SUDDERS
Secretary

MONICA BHAREL, MD, MPH
Commissioner

Tel: 617-624-6000
www.mass.gov/dph

January 25, 2016

Leonard Campanello, Chief of Police
City of Gloucester
197 Main Street
Gloucester MA 01930

Dear Mr. Campanello:

This is to inform you that the Massachusetts Department of Public Health, Bureau of Substance Abuse Services has awarded the City of Gloucester a new contract based upon the FY'2016 Supplemental Budget. This contract, #INTF2340M04W16058186 has a maximum obligation of \$100,000.00 and will be in effect from February 8, 2016 through June 30, 2016.

If you have any questions, please call the Bureau at (617) 624-5146.

A handwritten signature in black ink, appearing to read "A. Whiteman".

Charles A. Whiteman, Director of Administration and Finance
Bureau of Substance Abuse Services

COMMONWEALTH OF MASSACHUSETTS ~ STANDARD CONTRACT FORM



This form is jointly issued and published by the Executive Office for Administration and Finance (ANF), the Office of the Comptroller (CTR) and the Operational Services Division (OSD) as the default contract for all Commonwealth Departments when another form is not prescribed by regulation or policy. Any changes to the official printed language of this form shall be void. Additional non-conflicting terms may be added by Attachment. Contractors may not require any additional agreements, engagement letters, contract forms or other additional terms as part of this Contract without prior Department approval. Click on hyperlinks for definitions, instructions and legal requirements that are incorporated by reference into this Contract. An electronic copy of this form is available at www.mass.gov/osc under Guidance For Vendors - Forms or www.mass.gov/osd under OSD Forms.

CONTRACTOR LEGAL NAME: City Of Gloucester (and d/b/a):	COMMONWEALTH DEPARTMENT NAME: Department Of Public Health MMARS Department Code: DPH
Legal Address: (W-9, W-4, T&C): 9 Dale Ave, Gloucester, MA 01930-3009	Business Mailing Address: 250 Washington Street, Boston, MA 02108
Contract Manager: Leonard Campanello	Billing Address (if different):
E-Mail: lcampanello@gloucester-ma.gov	Contract Manager: Sokonthea An
Phone: 978-281-9775 Fax: n/a	E-Mail: Sokonthea.An@MassMail.State.MA.US
Contractor Vendor Code: VC6000192096	Phone: 617-624-6190 Fax: 617-624-5017
Vendor Code Address ID (e.g. "AD001"): AD001. (Note: The Address ID must be set up for EFT payments.)	MMARS Doc ID(s): INTF2340M04W16058186 RFR/Procurement or Other ID Number: W16058 LEG Exempt
<p style="text-align: center;">X NEW CONTRACT</p> PROCUREMENT OR EXCEPTION TYPE: (Check one option only) <input type="checkbox"/> <u>Statewide Contract</u> (OSD or an OSD-designated Department) <input type="checkbox"/> <u>Collective Purchase</u> (Attach OSD approval, scope, budget) <input type="checkbox"/> <u>Department Procurement</u> (includes State or Federal grants 815 CMR 2.00) (Attach RFR and Response or other procurement supporting documentation) <input type="checkbox"/> <u>Emergency Contract</u> (Attach justification for emergency, scope, budget) <input type="checkbox"/> <u>Contract Employee</u> (Attach <u>Employment Status Form</u> , scope, budget) <input checked="" type="checkbox"/> <u>Legislative/Legal or Other:</u> (Attach authorizing language/justification, scope and budget)	<p style="text-align: center;">___ CONTRACT AMENDMENT</p> Enter Current Contract End Date <u>Prior</u> to Amendment: __, 20__ Enter Amendment Amount: \$ _____. (or "no change") AMENDMENT TYPE: (Check one option only. Attach details of Amendment changes.) <input type="checkbox"/> <u>Amendment to Scope or Budget</u> (Attach updated scope and budget) <input type="checkbox"/> <u>Interim Contract</u> (Attach justification for Interim Contract and updated scope/budget) <input type="checkbox"/> <u>Contract Employee</u> (Attach any updates to scope or budget) <input type="checkbox"/> <u>Legislative/Legal or Other:</u> (Attach authorizing language/justification and updated scope and budget)
The following COMMONWEALTH TERMS AND CONDITIONS (T&C) has been executed, filed with CTR and is incorporated by reference into this Contract. <input checked="" type="checkbox"/> Commonwealth Terms and Conditions ___ Commonwealth Terms and Conditions For Human and Social Services	
COMPENSATION: (Check ONE option): The Department certifies that payments for authorized performance accepted in accordance with the terms of this Contract will be supported in the state accounting system by sufficient appropriations or other non-appropriated funds, subject to intercept for Commonwealth owed debts under 815 CMR 9.00. <input type="checkbox"/> <u>Rate Contract</u> (No Maximum Obligation. Attach details of all rates, units, calculations, conditions or terms and any changes if rates or terms are being amended.) <input checked="" type="checkbox"/> <u>Maximum Obligation Contract</u> Enter Total Maximum Obligation for total duration of this Contract (or <u>new Total</u> if Contract is being amended). \$ <u>100,000.00</u>	
PROMPT PAYMENT DISCOUNTS (PPD): Commonwealth payments are issued through EFT 45 days from invoice receipt. Contractors requesting accelerated payments must identify a PPD as follows: Payment issued within 10 days ___% PPD; Payment issued within 15 days ___% PPD; Payment issued within 20 days ___% PPD; Payment issued within 30 days ___% PPD. If PPD percentages are left blank, identify reason: ___ agree to standard 45 day cycle <input checked="" type="checkbox"/> statutory/legal or Ready Payments (G.L. c. 29, § 23A); ___ only initial payment (subsequent payments scheduled to support standard EFT 45 day payment cycle. See Prompt Pay Discounts Policy.)	
BRIEF DESCRIPTION OF CONTRACT PERFORMANCE or REASON FOR AMENDMENT: (Enter the Contract title, purpose, fiscal year(s) and a detailed description of the scope of performance or what is being amended for a Contract Amendment. Attach all supporting documentation and justifications.) Serv. Purchased In Supp. Of Human and Social Serv.	
ANTICIPATED START DATE: (Complete ONE option only) The Department and Contractor certify for this Contract, or Contract Amendment, that Contract obligations: <input type="checkbox"/> 1. may be incurred as of the <u>Effective Date</u> (latest signature date below) and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <input checked="" type="checkbox"/> 2. may be incurred as of <u>02/08, 2016</u> , a date <u>LATER</u> than the <u>Effective Date</u> below and <u>no</u> obligations have been incurred <u>prior</u> to the <u>Effective Date</u> . <input type="checkbox"/> 3. were incurred as of __, 20__, a date <u>PRIOR</u> to the <u>Effective Date</u> below, and the parties agree that payments for any obligations incurred prior to the <u>Effective Date</u> are authorized to be made either as settlement payments or as authorized reimbursement payments, and that the details and circumstances of all obligations under this Contract are attached and incorporated into this Contract. Acceptance of payments forever releases the Commonwealth from further claims related to these obligations.	
CONTRACT END DATE: Contract performance shall terminate as of <u>06/30, 2016</u> , with no new obligations being incurred after this date unless the Contract is properly amended, provided that the terms of this Contract and performance expectations and obligations shall survive its termination for the purpose of resolving any claim or dispute, for completing any negotiated terms and warranties, to allow any close out or transition performance, reporting, invoicing or final payments, or during any lapse between amendments.	
CERTIFICATIONS: Notwithstanding verbal or other representations by the parties, the " <u>Effective Date</u> " of this Contract or Amendment shall be the latest date that this Contract or Amendment has been executed by an authorized signatory of the Contractor, the Department, or a later Contract or Amendment Start Date specified above, subject to any required approvals. The Contractor makes all certifications required under the attached <u>Contractor Certifications</u> (incorporated by reference if not attached hereto) under the pains and penalties of perjury, agrees to provide any required documentation upon request to support compliance, and agrees that all terms governing performance of this Contract and doing business in Massachusetts are attached or incorporated by reference herein according to the following hierarchy of document precedence, the applicable <u>Commonwealth Terms and Conditions</u> , this Standard Contract Form including the <u>Instructions and Contractor Certifications</u> , the Request for Response (RFR) or other solicitation, the Contractor's Response, and additional negotiated terms, provided that additional negotiated terms will take precedence over the relevant terms in the RFR and the Contractor's Response only if made using the process outlined in <u>804 CMR 21.07</u> , incorporated herein, provided that any amended RFR or Response terms result in best value, lower costs, or a more cost effective Contract.	
AUTHORIZING SIGNATURE FOR THE CONTRACTOR: X: _____ Date: <u>2/29/16</u> (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>Leonard Campanello</u> Print Title: <u>Chief of Police</u>	AUTHORIZING SIGNATURE FOR THE COMMONWEALTH: X: _____ Date: _____ (Signature and Date Must Be Handwritten At Time of Signature) Print Name: <u>Sharon Dyer</u> Print Title: <u>Director, Purchase of Service Office</u>

FY: 2016

Amendment # (if Applicable): _____

If Federal Funds, CFDA#

PURCHASE OF SERVICE – ATTACHMENT 1: PROGRAM COVER PAGE

PROGRAM INFORMATION

Contractor Name: City Of Gloucester	Department Name: Massachusetts Department of Public Health
Program Type: Substance Abuse Legislative Earmarks	Document ID #: INTF2340M04W16058186
Program Name:	UFR Program:
Program Address: 9 Dale Ave	MMARS Program Code: 4912
City/State/Zip: Gloucester, MA 01930-3009	Other Reference Information (Information Purposes Only):
Contact Person: Leonard Campanello Telephone: 978-281-9775	Contact Person: Sokonthea An Telephone: 617-624-6190
RFR INFORMATION: <input type="checkbox"/> Attached <input type="checkbox"/> RFR Reference # <input type="checkbox"/> Legislative exemption <input type="checkbox"/> Emergency <input type="checkbox"/> Collective Purchase <input type="checkbox"/> Interim <input type="checkbox"/> Amendment SCOPE OF SERVICES: <input type="checkbox"/> Bidders Response Attached <input checked="" type="checkbox"/> Description of Services Attached TOTAL ANTICIPATED CONTRACT DURATION: <u>2/8/2016</u> to <u>6/30/2016</u> INITIAL DURATION: <u>2/8/2016</u> to <u>6/30/2016</u> OPTIONS TO RENEW: *****Refer to RFR for options to renew and for years each option*****	

FISCAL TERMS

Price is established through: (Check 1, 2, or 3) <input type="checkbox"/> OPTION 1: PRICE AGREEMENT (list price) \$ _____ Rate Regulation (if any) _____ <input type="checkbox"/> OPTION 2: SUMMARY BUDGET ("T" Lines only) <input type="checkbox"/> Unit Rate <input type="checkbox"/> Cost Reimbursement <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> OPTION 3: COMPLETED BUDGET <input checked="" type="checkbox"/> Cost Reimbursement <input type="checkbox"/> Unit Rate <input type="checkbox"/> Other _____	FUNDING SUMMARY					
	Prior Years		Current Years		Future Years	
	FY	Amount	FY	Amount	FY	Amount
			2016	\$100,000.00		
	Total:		Total: \$100,000.00		Total:	
Multi Years Total: \$100,000.00						
Current Max Obligation: \$ _____ Unit Rate: \$ _____ per _____ # Billable Units: _____						
Additional Payment or Price Specifications:						

**COMMONWEALTH OF MASSACHUSETTS
CONTRACTOR AUTHORIZED SIGNATORY LISTING**

Issued May
2004



CONTRACTOR LEGAL NAME:
CONTRACTOR VENDOR/CUSTOMER CODE:
CONTRACT #:

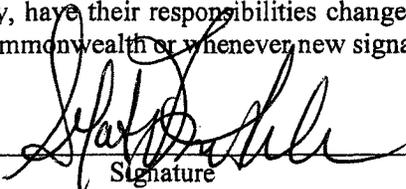
INSTRUCTIONS: Any Contractor (other than a sole-proprietor or an individual contractor) must provide a listing of individuals who are authorized as legal representatives of the Contractor who can sign contracts and other legally binding documents related to the contract on the Contractor's behalf. In addition to this listing, any state department may require additional proof of authority to sign contracts on behalf of the Contractor, or proof of authenticity of signature (a notarized signature that the Department can use to verify that the signature and date that appear on the Contract or other legal document was actually made by the Contractor's authorized signatory, and not by a representative, designee or other individual.)

NOTICE: *Acceptance of any payment under a Contract or Grant shall operate as a waiver of any defense by the Contractor challenging the existence of a valid Contract due to an alleged lack of actual authority to execute the document by the signatory.*

For privacy purposes **DO NOT ATTACH** any documentation containing personal information, such as bank account numbers, social security numbers, driver's licenses, home addresses, social security cards or any other personally identifiable information that you do not want released as part of a public record. The Commonwealth reserves the right to publish the names and titles of authorized signatories of contractors.

AUTHORIZED SIGNATORY NAME	TITLE
Leonard Campanello	Chief of Police

I certify that I am the President, Chief Executive Officer, Chief Fiscal Officer, Corporate Clerk or Legal Counsel for the Contractor and as an authorized officer of the Contractor I certify that the names of the individuals identified on this listing are current as of the date of execution below and that these individuals are authorized to sign contracts and other legally binding documents related to contracts with the Commonwealth of Massachusetts on behalf of the Contractor. I understand and agree that the Contractor has a duty to ensure that this listing is immediately updated and communicated to any state department with which the Contractor does business whenever the authorized signatories above retire, are otherwise terminated from the Contractor's employ, have their responsibilities changed resulting in their no longer being authorized to sign contracts with the Commonwealth or whenever new signatories are designated.


Signature

Date: 3-10-2016

Title: Mayor

Telephone: 978-281-9700

Fax: 978-281-9738

Email: SRomeotheken@gloucester-ma.gov

[Listing can not be accepted without all of this information completed.]

A copy of this listing must be attached to the "record copy" of a contract filed with the department.

COMMONWEALTH OF MASSACHUSETTS
CONTRACTOR AUTHORIZED SIGNATORY LISTING

Issued May
2004



CONTRACTOR LEGAL NAME: City of Gloucester
CONTRACTOR VENDOR/CUSTOMER CODE: VC6000192096
CONTRACT #:

PROOF OF AUTHENTICATION OF SIGNATURE

It is required that Departments obtain authentication of signature for the signatory who submits the Contractor Authorized Listing.

This Section MUST be completed by the Contractor Authorized Signatory in presence of notary.

Signatory's full legal name (print or type): Leonard Campanello

Title: Chief of Police

X

Signature as it will appear on contract or other document (Complete only in presence of notary):

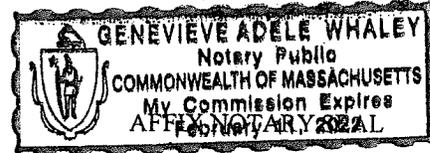
AUTHENTICATED BY NOTARY OR CORPORATE CLERK (PICK ONLY ONE) AS FOLLOWS:

ESSEX COUNTY, MASSACHUSETTS

I, Genevieve A. Whaley (NOTARY) as a notary public certify that I witnessed the signature of the aforementioned signatory above and I verified the individual's identity on this date:

FEBRUARY 25, _____, 20 16

My commission expires on: FEBRUARY 11, 2022



I, _____ (CORPORATE CLERK) certify that I witnessed the signature of the aforementioned signatory above, that I verified the individual's identity and confirm the individual's authority as an authorized signatory for the Contractor on this date:

_____, 20 _____

AFFIX CORPORATE SEAL

Scope of Services

This Attachment Form must be used. Please check the appropriate box when processing a new contract or a contract amendment.

Contract ID #: INTF2340M04W16058186

Any funds designated in the budget that are unspent in any fiscal year will not be available for expenditure in the subsequent fiscal year without a formal contract amendment re-authorizing these funds. The maximum obligation of the contract will automatically be reduced by the amount of the unspent funds from a prior fiscal year.

New Contract This form will only be included with packages where a procurement exception (waiver) supports the contract. Identify in detail the scope of services in terms of performance for a new contract. Services provided must be in accordance with the budget and the terms and conditions of the federal grant (if applicable). Earmark contract for the development, implementation, monitoring and documentation of a pilot program in the City of Gloucester

Contract Amendment

If choosing amendment you must check off one of the three types below and provide explanation

Increase

Include a clear explanation of what the funding change will support in terms of additional services.

Decrease

Include a clear explanation of what services are being reduced as a result of the funding decrease.

Other

Identify the changes to the scope of services supported by the amendment (No change in Max Obligation).

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC HEALTH**

FY 2016 SUBCONTRACTOR IDENTIFICATION LIST FOR DIRECT CARE SERVICES

Provider/Vendor Name: City of Gloucester Vendor VC No: VC6000192096

Program Name: Gloucester Initiative
Angel Program Contract ID: _____

Instructions: Providers/vendors must complete and submit to DPH at the time of initial contract execution AND when subcontract dollars and/or vendors/providers are added or deleted. This form must be signed by the DPH program representative to indicate program approval PRIOR TO the execution of said subcontract(s).

Subcontractors must agree to the Terms and Conditions set forth in the RFR, which is part of this contract. Subcontracts must be in writing, in accordance with Section 9 of the Commonwealth Terms and Conditions or the Commonwealth Terms and Conditions for Human and Social Services. Providers may use the standard subcontract template available through DPH contract managers. All subcontracts must be available for review by authorized agents of the Commonwealth. DPH may require the submission of any subcontract at any time during the contract period.

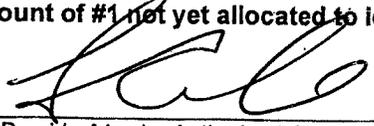
Line 206

1. Total Subcontract Dollars* \$ _____

2. Amount of #1 allocated to identified subcontractors (list below): \$ 50,000

Subcontractor Name	FEIN	Subcontract Amount	Type of Service provided and number of service units, if applicable
<u>Arlington, City of</u>		<u>25,000</u>	
<u>Worcester, City of</u>		<u>25,000</u>	
	TOTAL: (Must = #2 above)	<u>50,000</u>	

3. Amount of #1 not yet allocated to identified subcontractors: \$ _____

Submitted by: 
 Provider/Vendor Authorized Signature
Leonard Campanello
 Print Name

Date: 2/29/16 Phone: 978-281-9775

Approved by: _____
 DPH Program Manager

 Print Name

Date: _____ Phone: _____

* For contracts using Attachment 3, the Program Budget Form, 2 + 3 must = Line 206 of the form.
 Updated 3/9/2015

**UFR
UFR PROGRAM COMPONENT AND TITLE DESCRIPTIONS
UNDER 808 CMR 1.00**

Commonwealth of Massachusetts | Executive Office for Administration & Finance | Operational Services Division
Fiscal Year 2011
Rev. 2011

**BASIC CONCEPTS
PROGRAM REQUIREMENTS**

The terms of the contract program budget govern the selection of the proper program components and titles to be used in the UFR. For example, if the contract program budget indicates that the program is to employ a "Social Worker-LICSW," UFR Title number 124 in category number 1 Direct Care/Program Staff, this position must also be disclosed in the UFR using the same UFR component and title. The program specifications included in the proposal furnished in response to the Request for Proposal (RFP) that was negotiated and incorporated into the contract with the purchasing department must be consistent with the definitions and specifications contained in this document. The UFR title number for a LSW (UFR Title number 126) should be disclosed if a LSW is currently employed in the program rather than the LICSW that was included in the negotiated contract. In most cases it is expected that budgeted and negotiated position should be the same as those disclosed in the UFR.

CREDENTIALS

Direct care/program staff components are defined, in part, in terms of required credentials. It is not relevant to the proper classification of a position that a staff member who currently fills the position possesses a particular credential, unless the RFR or contract requires the credential for that position.

FUNCTION vs. TITLE

Direct care/program staff components are determined by their program function. For example, a licensed physician should be classified as a "Physician" only if the physician provides medical care as outlined in the component definition. If a physician performs the functions of a "Program Director", then that component should be used.

It is the functional definition, not the title, which governs the definition of a particular component and UFR Title. A program's "Residence Director", for example, may be classified as a Program Manager, Program Director, Assistant Program Director, or Supervisor, depending upon the actual functions performed and the scope of responsibility involved. Yet the fact that the titles used in this document coincide with titles customarily used by program staff does not settle the question of proper classification. Again, this document's definitions govern. A particular program position is classified as a "Case Worker/Manager", rather than as a "Counselor", if the required credentials and responsibilities coincide more closely with the definition of "Case Worker".

This document is formatted to establish a hierarchical schedule for the components, e.g. the Program Director would report to the Program Manager, and a Direct Care/ Program Staff I would report to a Direct Care/ Program Staff Supervisor. All direct care or program staff positions which are not specifically defined in this document, such as American Sign Language interpreter, phlebotomist, instructor, resource librarian, medical technician, health education specialist, work procurement specialist, certified occupational therapy assistant, etc., should be classified as "Direct Care/Program Staff I, II or III," as appropriate.

CATEGORY 1: DIRECT CARE / PROGRAM STAFF

Category 1 includes direct care staff/program staff required to provide direct care or deliver other primary program services.
(Components 101-151)

Code	Description
101	Program Function Manager: An individual who has overall responsibility for the management, oversight and coordination of a programmatic functional area within or across programs as in the case of "Medical Director", "Residence Director", "Clinical Director", "Education Director", etc. (Compensation for individuals whose primary responsibilities are administrative and cut across several programs should be classified under 410 - "Agency and Program Administration and Support" component.)
102	Program Director: An individual who has overall responsibility for the daily operation of one or more individual programs.
103	Assistant Program Director: An individual, who reports directly to the Program Director, acts for the Program Director in his/her absence and functions as an advisor/assistant to the Program Director.
104	Supervising Professional: A credentialed professional (Physician, Psychiatrist, Social Worker, Nurse, etc.) whose primary responsibility is the supervision of fellow credentialed professionals in the daily performance of their programmatic functions. A professional whose duties chiefly entail supervision of nonprofessionals or paraprofessionals should be classified under 133 - Direct Care/ Program Staff Supervisor. Supervisors assigned to this component may also provide incidental direct client care.
105	Physician: A Board of Registration in Medicine-licensed or Board-eligible physician (including all medical specialties, e.g., dentist, podiatrist except psychiatry Component 121) with either a MD or DO degree whose primary responsibility is delivery or supervision of health/medical care to program participants.
106	Physician's Assistant: An individual registered as a physician's assistant by the Department of Public Health and functioning in that capacity.
107	Registered Nurse - Master's, Nurse Psychiatric Mental Health Specialist, Nurse Practitioner, and Nurse - Midwife.: An individual who possesses a Master's degree in nursing and/or is registered by the Board of Registration in Nursing as a registered nurse and is practicing in an expanded role and functioning in any of the above capacities.
108	Registered Nurse: An individual who is licensed as a registered nurse by the Board of Registration in Nursing (both BSNs and others), does not possess a Master's degree and is engaged in nursing duties.
109	Licensed Practical Nurse: A person licensed as a practical nurse by the Board of Registration in Nursing and engaged in nursing duties.
110	Pharmacist: A person licensed by the Board of Registration in Pharmacy and functioning as a pharmacist.
111	Occupational Therapist: An individual registered as an occupational therapist by the Board of Registration in Allied Health Professionals and who provides occupational therapy.

112	Physical Therapist: A person registered as a physical therapist by the Board of Registration in Allied Health Professionals and who provides physical therapy.
113	Speech/Language Pathologist, Audiologist: An individual registered as a Speech/Language Pathologist or as an Audiologist by the Board of Registration in Speech/ Language Pathology and Audiology and who provides speech and hearing therapy.
114	Dietitian/Nutritionist: An individual registered as a dietitian by the Commission on Dietetic Registration of the American Dietetic Association and providing nutritional counseling, education, supervision of meal/menu preparation, or an individual with a Bachelor's or Master's degree in nutrition who provides nutritional counseling, education, supervision of meal/menu preparation.
115	Special Education Teacher: A teacher certified in special education by the Massachusetts Department of Education and working in that capacity.
116	Teacher: A teacher holding teacher certification by the Massachusetts Department of Education in an area other than special education and working in that capacity.
117	Day Care Director: An individual certified by the Office for Children as a Day Care Director and functioning in that capacity.
118	Day Care Lead Teacher: An individual certified by the Office for Children as a Day Care Lead Teacher and functioning in that capacity.
119	Day Care Teacher: An individual certified by the Office for Children as a Day Care Teacher and functioning in that capacity.
120	Day Care Assistant Teacher/Aide: An individual certified by the Office for Children as a Day Care Assistant Teacher/Aide and functioning in that capacity.
121	Psychiatrist: An individual licensed to practice medicine, certified or eligible for certification by the American Board of Psychiatry and primarily involved in rendering or directing psychiatric care.
122	Psychologist - Doctorate: An individual holding a doctoral degree in psychology (including behavioral psychologists and neuropsychologists), or a closely related field, registered as a psychologist by the Board of Registration of Psychologists and primarily engaged in providing diagnostic evaluations, psychological counseling/therapy or development and implementation of behavioral treatment plans.
123	Clinician (formerly Psychologist - Master's): An individual holding a Master's degree in psychology (including behavioral psychologists) or a closely related field and primarily engaged in providing diagnostic evaluations, psychological counseling or development and implementation of behavioral treatment plans.
124	Social Worker - LICSW: An individual registered as a Licensed Independent Clinical Social Worker by the Board of Registration of Social Workers and primarily engaged in providing diagnostic evaluations, psychological counseling/therapy or development and implementation of behavioral treatment plans.
125	Social Worker - LCSW: An individual registered as a Licensed Certified Social Worker by the Board of Registration of Social Workers and providing social work services.
126	Social Worker - LSW: An individual registered as a Licensed Social Worker by the Board of Registration of Social Workers and providing social work services (including casework/counseling).
127	Licensed Counselor: An individual with at least a Master's degree in counseling, or a related discipline, who is licensed by the appropriate Board of Registration and who provides counseling services.
128	Certified Vocational Rehabilitation Counselor: An individual who is certified by the Committee on Accreditation of Rehabilitation Facilities and who provides vocational rehabilitation counseling.
129	Certified Alcoholism Counselor, Certified Drug Abuse Counselor, Certified Alcoholism/Drug Abuse Counselor: An individual who is registered as either an Alcoholism Counselor, a Drug Abuse Counselor or both by the Massachusetts Board of Substance Abuse Counselor Certification and who provides counseling services for substance abusers.
130	Counselor: An individual who provides therapeutic or instructive counseling to program clients/service recipients.
131	Case Worker/Manager - Master's: An individual possessing at least a Master's degree in counseling, or a closely related discipline, who provides casework/case management services including service eligibility determination, service plan development, service coordination, resource development, advocacy, etc.
132	Case Worker/Manager: An individual who provides casework/case management services, including service eligibility determination, service plan development, service coordination, resource development, advocacy, etc.
133	Direct Care/Program Staff Supervisor: A staff member whose primary responsibility is the supervision of nonprofessional or paraprofessional direct care/program staff in the performance of their programmatic functions or whose duties involve significant responsibility for program operations or logistics. A supervisor in this component may also perform direct client care.
134	Direct Care/Program Staff III: Staff, other than those defined above, requiring a doctoral or Master's degree, specific credentials or licensure, significant experience, or specialized skills, who are responsible for the general daily care of program clients/service recipients or for primary program service delivery. This category may also be used to reflect a bilingually (including American Sign Language) or specialized staff requirements necessary to serve the developmental needs of the client(s) for staff otherwise categorized as Direct Care/Program Staff II.
135	Direct Care/Program Staff II: Staff, other than those defined above, requiring a Bachelor's degree, experience or specific skills, which are responsible for the general daily care of program clients/service recipients or for primary program service delivery. This category may also be used to reflect a bilingually (including American Sign Language) or specialized staff requirements based on the developmental needs of the client(s) for staff otherwise categorized as Direct Care/Program Staff I.
136	Direct Care/Program Staff I: Staff, other than those defined above, who are responsible for the general daily care of program clients/service recipients or for primary program service delivery. This includes relief employees on payroll.
137	Program Secretarial, Clerical Staff: Program secretarial and clerical staff required carrying on direct program clerical activities such as program or client record keeping. Accounting/Billing Staff. Staff assigned not assigned to a program but to duties related to functions of administration and overall direction of the agency are included as part of the Agency and Program Administration & Support component (Component 410).
138	Program Support, Housekeeping, Maintenance, Janitorial, Groundskeeper, Driver, Cook: Program housekeeping, maintenance and janitorial staff, ground keepers, drivers or cooks and staff who carry out direct program activities for client health and safety. Staff assigned to administrative facilities and functions is included in the Agency and Program Administration

	& Support component (Component 410).
139	Direct Care Overtime Expense: Overtime payroll expense paid to exempt and nonexempt employees pursuant to discretionary overtime policies of the organizations, the U.S. Fair Labor Standards Act of 1938 and the Commonwealth's Minimum Fair Wage Law of MGL Chapter 151. Overtime payment represents the total amount of pay furnished for the time worked after the overtime threshold has been exceeded. Overtime pay is composed of strait time (regular fulltime pay for the time worked after the threshold has been exceeded) plus additional compensation furnished to an individual after the overtime time threshold has been exceeded (Time and ½ (or greater) for nonexempt employees working in excess of 40 hours per week). Discretionary overtime policies of the organizations may provide exempt employees with overtime using a threshold that may be greater or lesser than required for nonexempt employees.
140	Shift Differential Salary Expense: Salary expense incurred for providing on call services and working late night and early morning shifts. For instance, a nurse that is employed in a program who works full-time in the first shift may be paid less than the same type of nurse working full-time in the third shift. The nurse working in the second or third shift is paid the same full-time salary but receives an additional incentive payment or differential payment for working the third shift because working the third shift is a hardship. Similarly, the nurses noted above might receive payments in addition to their full-time salary and any overtime paid if the nurse agrees to be on call on days off in case the nurse's service is needed for an emergency.
141	Relief Staff Expense: Payments to an individual to provide direct care services to relieve regular employees of their direct care duties on a temporary basis. Individuals providing temporary direct care services may not be an employee of the Contractor employed to provide the same type of employment services as the relief staff services. This expense is related to individuals not considered to be independent Contractors and/or employees of the organization that are not entitled to receive overtime payments for furnishing direct care services to relieve regular employees of their duties on a temporary basis. Employees are generally entitled to receive overtime payments (not relief payments) if they occupy nonexempt positions and management permits them to work in excess of 40 hours a week to furnish employment services. Individuals not employed by the organization are considered independent Contractors if they were paid more than \$600 during the year the services were furnished to the organization. The organization is required to furnish the independent Contractor noted above with an IRS form 1099MISC. See Title 202 for relief staff services furnished on a contracted basis.
150	Payroll Taxes: Employer's share of FICA, MUICA, Worker's Compensation Insurance, FUTA (in the case of For-Profit Providers) and other payroll taxes paid by the employer on the direct care/program staff listed in category 1 on the budget.
151	Fringe Benefits: Life, health and medical insurance, pension and annuity plan contributions, day care, tuition benefits and all other non-salary/wage benefits received by the direct care/program staff listed in category 1 on the budget as compensation for their personal services.

CATEGORY 2: OTHER DIRECT CARE/PROGRAM RESOURCES

(Components 201 - 216): Category 2 includes resources, other than direct care staff/program staff, required to carry out direct client care or support the delivery of other primary program services.

201	Direct Care Program Consultants: Individuals possessing specialized experience or expertise in matters of individual service plan design, program design, program management or operation and who are engaged to provide technical assistance on matters of appropriate client care, program design, etc.
202	Temporary Help: Individuals, in some cases, possessing specialized skills or expertise in client care and treatment, engaged on an "as needed", "on call", "standby" or "specialist" basis, to provide client care or treatment. This component includes contracted relief staff services furnished by individuals or organizations.
203	Provider Reimbursement/Stipends: Per diem reimbursement to independent individual care givers (not provider agency employees), such as family day care providers, specialized home care providers or foster families, to compensate them for their personal services and/or to defray all or a portion of the costs associated with client care in their homes.
204	Staff Training: Formal instruction to meet professional continuing education requirements, to satisfy program licensure requirements or to enable direct care staff to acquire and maintain acceptable levels of knowledge, skill and proficiency for the routine performance of their assigned functions. (Note that the staff time devoted to training should be included in the calculation of required direct care staff FTEs. Staff tuition/educational benefits paid, as a condition of employment should be included in "Fringe Benefits" Component 151.)
205	Staff Mileage/Travel: Direct care staff travel within the normal scope of the staff members' assigned duties. This category includes use of a staff member's own vehicle, as well as public transportation.
206	Subcontracted Direct Care: Client care or other program services which are a primary and integral part of the total program but which are furnished to the program, under contract, by a separate program of another provider.
207	Meals: Food, cooking materials, and other resources (other than staff compensation) required for the planning, preparation and serving of meals and snacks to clients and, if programmatically necessary, to staff.
208	Client Transportation: The resources (other than staff compensation) associated with transportation of clients to, from or among program sites as a routine part of program participation. This component shall include Provider owned vehicles (depreciation and finance charges) or leased vehicles, all associated operating, maintenance, insurance and non-owned auto insurance costs, contracted transportation, etc.
209	Incidental Health/Medical Care: The resources (other than staff compensation) associated with providing health/medical care on an as needed or emergency basis (including ambulance services) to clients of a program, which is not primarily intended to address the on-going medical needs of program participants.
210	Medicine/Pharmacy: The resources (other than staff compensation) associated with on-site inventory and administration of medically necessary prescription pharmaceuticals, patent medicines and medical supplies.
211	Client Personal Allowances: Cash paid to program clients as an incentive to program participation, as part of instruction in money management, to give clients a measure of economic independence, to acquire personal items, or other program purpose. This category includes "indirect" client wages (i.e. "wages" which are not related to the economic value of the client's work product/productivity).
212	Provision of Material Goods, Services and Benefits: Resources, other than those defined above, associated with provision of material goods or services - such as prosthetic and adaptive devices, nutrition or day care vouchers - to eligible program

	clients/recipients.
213	Data Processing: Resources (other than staff compensation) associated with the collection, analysis and reporting of data as a program and agency administrative support function, including owned (depreciation and finance charges only) or leased computer hardware and software. These resources should be included in the agency and program administrative support component 410.
214	Commercial Income Resources: Resources, other than those defined above, such as consumer wages, benefits and taxes, raw materials, production equipment and consumables, freight and transportation, and marketing associated with the use of client labor in the production or assembly of a product or service as a part of the client's program of vocational training/rehabilitation or sheltered employment.
215	Program Supplies, Materials and Expendable Items of Equipment and Furnishings: Program residential, educational, vocational and recreational supplies and materials and expendable items of equipment and furnishings that are not required to be capitalized and are routinely needed for ongoing direct client care or program service delivery.
216	Program Support: This component is for direct administrative program support that is associated with a single program(s) and NOT allocated across programs as an indirect cost or identified in component title 410 as other professional fees, office equipment depreciation, professional insurance, and working capital interest or in title 390 as leased office equipment and office furnishing used in a program. This component does not include personnel; all program personnel must be included in components 101 - 138. Program support is for costs separately identified in a POS program contract budget of Attachment 3 on the line titled Program Support. These costs are intended to meet the specialized and/or non-recurring needs of the program, which may include maintenance, and accreditation fees. This component title may not include resources defined as Non-Reimbursable Costs by regulation 808 CMR 1.05 (Effective 2/1/97 808 CMR 1.05), e.g., certain consultant compensation, current expensing of capital budgets, fund-raising etc.

CATEGORY 3: OCCUPANCY

301	Program Facilities: Owned or leased program facilities and grounds (including rent or mortgage interest and building depreciation). This component may not include the costs of principal or amortization, which is non-reimbursable, costs under 808 CMR 1.00.
390	Facilities Operation, Maintenance, Equipment and Furnishing: This category includes all resources associated with occupancy; furnishing and maintenance of program facilities, including all utilities (other than telephone), contracted housekeeping, laundry, contracted grounds keeping, routine repair and maintenance, leased office equipment and office furnishings and equipment and routine replacement (depreciation and finance charges only) of capitalized program furnishings and equipment, property and general liability insurance, real estate taxes or payments in lieu of taxes, and all other such resources/expenses. This component does not include the cost of employees on the payroll (see 138 - Program Support Housekeeping, Maintenance, Groundskeeper, Janitorial, Driver, and Cook).

CATEGORY 4: ADMINISTRATIVE SUPPORT

410	<p>Agency and Program Administration and Support: This component is for resources related to administration and support activities that are both directly related to a program (direct costs) and those that are related to the overall direction of the agency. Cost associated with the overall direction of the agency may cross all agency programs and are not directly associated with any one program or a combination of programs but provide indirect benefit to those programs (indirect administration). Costs providing indirect benefit to programs include administrative costs, management and general costs and all resources reasonably necessary for the policy making, management, and administration related to the overall direction of the organization that are separately disclosed in the Statement of Functional Expenses Administration (MNGT. & GEN) column. Indirect administrative costs are also allocated to a program or programs as Admin (M&G) Reporting Center cost on 52E of the Admin (m&g) column of Organization Supplemental Information Schedule A to line 52E of the Program Supplemental Information Schedule B. These indirect Agency Administration costs indirectly benefiting a POS program are included in Attachment 3 of the POS contract budget on the line titled Agency Admin Support Allocation. In addition, this title includes administrative costs directly benefiting a program or programs that are charged to that program or programs as direct costs (ex. program other professional fees, program professional insurance, and program office equipment depreciation and working capital interest). Administrative costs that directly benefit programs are included in Attachment 3 of the POS contract budget on the line titled Other Direct Administrative Costs.</p> <p>Leased office equipment and office furnishings that are used in a program are disclosed in title 390 Facilities Operation, Maintenance, Equipment and Furnishing and included in Attachment 3 of the POS contract budget on the line titled Other Direct Administrative Costs.</p> <p>All other administrative costs that directly benefit a program and meet the specialized needs of the program are contained in title 216 Program Support. Title 216 Program Support costs are included in Attachment 3 of the POS contract budget on the line titled Program Support.</p> <p>Administration and support costs include but are not limited to administrative, clerical and support personnel (use title 137 if clerical and support personnel are assigned to a program), office supplies and materials, leasing or routine replacement (depreciation and financing interest only) of office equipment, telephone, costs related to occupancy of administrative premises, advertising and recruitment, postage, printing and reproduction, administrative and support staff training and travel, officer/director/trustee compensation, parent organization costs, legal, auditing, management consultants and other professional fees, working capital interest, directors and officers insurance, and all other similar or related resources/expenses. The reimbursable price may not include resources defined as Non-Reimbursable Costs by regulation 808 CMR 1.05 (Effective 2/1/97 808 CMR 1.05), e.g., fund-raising or discriminatory benefits. See component title 216 Program Support for related activity.</p>
-----	--

CATEGORY 5:

510	Not in Use at DPH (DPH only uses cost reimbursement budgets, line 510 is not appropriate).
-----	--



**MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH
CONFIDENTIALITY AGREEMENT
STANDARD TERMS AND CONDITIONS**

Attachment # ___ to RFR # _____

I. GENERAL PROVISIONS

Section 1. The Department of Public Health (Department) is a hybrid entity under the Health Insurance Portability and Accountability Act (HIPAA). The _____(Program) is a non-covered component and therefore not subject to the HIPAA Privacy or Security Rules. The Department is subject to the Fair Information Practices Act (FIPA) and since the Department is providing to the Vendor and/or the Vendor may receive or create Confidential Information on behalf of the Department, a confidentiality agreement is included as part of this contract. The Vendor _____ in the performance of its duties under the contract(s) awarded pursuant to RFR # _____ (the RFR and all attachments to it are referred to collectively as the Contract) is a holder of Confidential Information.

Section 2. The Confidentiality Agreement terms and conditions are intended to protect the privacy and security of all Confidential Information that the Vendor may receive from and/or create on behalf of the Department in the performance of its duties and responsibilities under the contract, and to ensure that the Department through its Vendor complies with FIPA as well as all other applicable state or federal laws governing the privacy or security of any data received or created under the contract.

II. DEFINITIONS FOR USE IN THIS AGREEMENT

All terms used, but not otherwise defined herein, shall be construed in a manner consistent with FIPA and other applicable state or federal privacy or confidentiality laws.

"Confidential Information" (CI) includes:

- Personal Data
- Protected Health Information
- Security Information
- Other information that the data owner determines requires protection from unauthorized access.

Hereinafter, this agreement shall use "CI" to refer to all Confidential Information, unless only a subset is appropriate.

"Data Subject" means an individual to whom Personal Data or Protected Health Information refers.

"Electronic Media" means:

- *Electronic storage media* including memory devices in computers (hard drives) and any removable/transportable digital memory medium, such as magnetic tape or disk, optical disk, or digital memory card; or
- *Transmission media* used to exchange information already in electronic storage media. Transmission media include, for example, the Internet (wide-open), extranet (using internet technology to link a business with information accessible only to collaborating parties), leased lines, dial-up lines, private networks, and the physical movement of removable/transportable electronic storage media. Faxes sent directly from one fax machine to another, person-to-person telephone calls, video teleconferencing, and messages left on voice-mail are not considered transmission media. However, any faxes sent from a computer, including those made by a fax-back system, are considered transmission media.

"Holder" (referenced herein as Vendor) means any person or entity which contracts or has an arrangement with an agency (DPH) whereby it holds Personal Data as part or as a result of performing a governmental or public function or purpose.

"Information system" means the interconnected set of information resources under the direct control of the Department, as well as those used by the Department under the control of other entities, including the Commonwealth's Information Technology Division, and the Executive Office of Health and Human Services. The information resources comprising an information system include any equipment, software, devices, or interconnected system or subsystems of software and equipment that are used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data.

"Personal Data" (PD) means any information in any medium concerning an individual, which because of name, identifying number, mark or description can be associated with a particular individual, provided that the information is not contained in a public record and shall not include intelligence information, evaluative information or criminal offender record information as defined in G.L. c. 6, § 167. Protected Health Information, as defined below, constitutes a subset of Personal Data.

"Protected Health Information" (PHI) means information in any form or medium that relates to the past, present or future, physical or mental condition of an individual; the provision of health care to an individual; or the past, present or future payment for the provision of health care to an individual; and that identifies the individual or with respect to which there is a reasonable basis to believe can be used to identify the individual that the Vendor receives, creates or uses under the Agreement. The term PHI applies to the original data and to any data derived or extracted from the original data. PHI is a subset of PD.

"Security Incident(s)" means the attempted or successful unauthorized access, use, disclosure, modification, or destruction of information or interference with system operations in an information system.

"Security Information" means information related to the Department's Information Systems, the disclosure of which would expose the information systems to external threats, and could lead to the unauthorized disclosure of personal data. Security Information includes, but is not limited to, network diagrams, system schematic drawings, security policies and procedures, user account information and passwords, threat or vulnerability assessments, or any other records relating to the security of the Department's information systems.

III. OBLIGATIONS OF THE VENDOR

Section 1. Compliance with State and Federal Law. The Vendor acknowledges that in the performance of this Contract, it may receive CI. The Vendor acknowledges that by accepting the CI, it becomes a "holder" of the "Confidential Information" within the meaning of M.G.L. c. 66A, FIPA, and will comply with the requirements of that law as well as all other applicable state or federal laws governing the privacy or security of any data received or created under the Contract.

Section 2. Ownership of CI. The Vendor shall at all times recognize the Department as sole owner of the CI. As owner of the CI, the Department shall at all times have complete control over the access, use, disclosure and disposition of the CI, including, if relevant, editorial control over the output.

Section 3. Agreements by Third Parties. If the Department authorizes the Vendor in advance to engage a subcontractor or an agent, and such subcontractor or agent receives CI from or creates or receives CI on behalf of the Vendor or Department, the Vendor shall obtain and maintain a written agreement with each agent or subcontractor. The agreement shall provide that such agent or subcontractor agrees to be bound by the same restrictions, terms and conditions that apply to the Vendor pursuant to this Contract with respect to such CI including, but not limited to, implementing reasonable safeguards to protect the information. All provisions of the Contract apply to all such CI, whether in the possession of the Vendor or any agent or subcontractor. The Vendor is responsible for ensuring each agent's and subcontractor's compliance with all applicable provisions of the Contract. Upon request, the Vendor shall provide the Department with a copy of the written terms between the Vendor and the subcontractor or agent.

Section 4. Security: Appropriate Safeguards. The Vendor agrees to implement administrative, physical and technical safeguards that reasonably and appropriately protect the confidentiality, integrity and availability of the CI. Such safeguards shall meet, at a minimum, industry best practices standards and specific standards for

privacy and security established by the Department and the Commonwealth. Appropriate safeguards shall include, at a minimum:

- Providing appropriate privacy and security training for each of its employees, agents, or subcontractors who will have access to the Department's CI.
- Requiring each of its employees, agents, or subcontractors having any access to or use of CI to comply with applicable laws and regulations relating to confidentiality, privacy, and security of the CI.
- To the extent that the Vendor's employees physically work on site at the Department, they shall be subject to the Department's Confidentiality and Security Policies and Procedures.
- Not removing any CI from Commonwealth premises, unless authorized under the contract.
- Protecting the physical and electronic security of the CI, including any data created, accessed, stored, or transmitted by electronic media.
- Taking steps to prevent unauthorized access to the CI, including preventing unauthorized access through the use of individual user accounts which are password protected and can be audited.
- Laptop security – When a laptop maintaining CI is not in use, the CI must be secured as encrypted files, or in an encrypted volume on the hard drive or a CD. (Example: PGP Disk File and Disk Encryption). Laptops or CDs must not be left unattended and must be stored securely in locked cabinets or rooms.
- Portable electronic media, if authorized to be used to maintain CI, must include encryption functionality, and must be stored in locked cabinets or rooms.
 - *USB Thumb Drives* must have password or biometric protection to provide for encrypted file security. The encryption must be enabled whenever the CI is not being used. (Example: the *Lexar Jumpdrive Secure*)
 - CI stored on a *CD-Rom* must be maintained in an encrypted file. (Example: WinZip 9 with 256 bit AES encryption)
- Data Backup – The Vendor shall backup CI as is necessary to ensure the integrity and availability of all information required to perform vendor's obligations under the Contract. The Vendor shall provide for the security of all backup tapes and storage media.
- If the Department's CI is stored on backup tapes, which cannot be segregated from other data maintained by the Vendor due to the choice of backup media and system, the Vendor shall continue to ensure the privacy and security of the Department's CI so long as the backup media is needed. All protections pertaining to any CI covered by the Agreement shall remain in force for so long as the Vendor maintains such CI. To the extent feasible a separate back-up tape should be utilized for the CI under this contract.
- Media Sanitization - Unless otherwise authorized under the terms of the contract, all copies of any Department CI stored on electronic storage media, including thumb drives, controlled by the Vendor, must be destroyed upon termination of the Agreement. CI must be destroyed so that it cannot be

recovered from the electronic storage media. Acceptable methods include the use of file wiping software implementing at a minimum DoD.5200.28-STD (7) disk wiping, and the degaussing of backup tapes. Electronic storage media such as floppy disks, CDs, and DVDs used to store data must be made unusable by physical destruction.

- Upon request, the Vendor will furnish the Department with a description of the steps it has taken to prevent use or disclosure of the CI not authorized by this Contract and agrees to allow authorized representatives of the Department access to premises where the CI is kept for the purpose of inspecting security (physical and electronic) arrangements.

Section 5. Non-Secure Transmissions Prohibited. The Vendor agrees that it will not transmit the CI over any unsecured network or over any wireless communication device.

- Transmissions of CI over the Internet are limited to secure transmission protocols approved in writing by the Department
- All CI hosted by the Vendor, and accessible remotely, including via the Internet, must be secured through the use of Firewalls and other perimeter security technologies and must be approved in writing by the Department.

Section 6. Reporting of Disclosures or Security Incidents. The Vendor agrees that it will notify the Department under this Contract both orally and in writing no later than (1) business day following discovery or notice of:

- any use or disclosure of CI not allowed by this Contract,
- any security incident involving or potentially involving the Department's CI

Section 7. Mitigation. The Vendor shall mitigate, to the extent practicable, any harmful effect that is known to the Vendor of its use or disclosure of CI in violation of the Contract or any security breach. The Vendor shall in consultation with the Department take measures that the Department deems appropriate to recover the CI and prevent a future breach of the confidentiality and security of the CI. The Vendor shall report to the Department the results of all mitigation actions taken. Nothing in this Section shall be deemed to waive any of the Department's legal rights or remedies that arise from the Vendor's unauthorized use or disclosure of the CI or security breach.

Section 8. Notice of Request for CI. The Vendor agrees to notify the Department prior to the return date or within five (5) days of the Vendor's receipt of any legal request, court order, or subpoena for CI, whichever is earlier. To the extent that the Department decides to assume responsibility for challenging the validity of such requests, the Vendor agrees to cooperate fully with the Department in such challenge.

Section 9. Access to CI or Personal Data.

- A. The Vendor shall provide the Department with access to or copies of any CI that it maintains pursuant to the contract.

- B. The Vendor shall provide the data subject with access directly to the subject's PD, subject to restrictions, if the individual makes the request directly to the Vendor, as shall be necessary to meet its obligation under M.G.L. c. 66A.
- C. Such access or copies shall be provided to the Department or individual within five (5) days of the request.

Section 10. Availability of PD for Amendment. The Vendor shall allow an individual to make requests to amend his or her PD that the Vendor maintains and for which the Vendor is the source, subject to restrictions. The Vendor shall also make any amendment(s) to PD that it received from or created or received on behalf of the Department that the Department directs, in order for the Department to meet its obligations under M.G.L. c. 66A. All such amendments shall be made within ten (10) days of receipt of the request from the Department.

Section 11. Accounting of Disclosures. The Vendor shall document PD disclosures and required information related to such disclosures, as is necessary for the Department to respond to an individual's request for accounting of disclosures in accordance with the Department's Confidentiality Policy and Procedures, Procedure # 12. The Vendor agrees to provide to the Department or the individual, within ten (10) days of the request an accounting of disclosures of PD. At a minimum, the Vendor will provide the following information: (i) the date of the disclosure, (ii) the name of the entity or person who received the PD, and if known, the address of such entity or person, (iii) a brief description of the PD disclosed, and (iv) a brief statement of the purpose of such disclosure which includes an explanation of the basis for such disclosure.

Section 12. Access to Records. The Vendor shall make available to the Department its internal practices, books, and records including policies and procedures relating to the use and disclosure of the CI received from the Department, or created or received by the Vendor on behalf of the Department as well as security procedures. The Department shall determine the time and manner for making such material available.

IV. PERMITTED USES AND DISCLOSURES BY THE VENDOR

Section 1. Uses and Disclosures of CI. The Vendor agrees to use or disclose CI that it receives from and/or creates or receives on behalf of the Department only as specified in this Section IV.

A. To Perform the Contract (MDPH to check one)

The Vendor's responsibilities under the contract require only the use of CI. Vendor is prohibited from disclosing any CI to any entity other than the Department. The Vendor shall give the Department full access to such CI for purposes of auditing the performance of the Vendor under the Contract and as the Department determines is otherwise necessary.

If the box above is checked, Sections 9 (B), 10, and 11 of Part III of this agreement do not apply.

The Vendor may use or disclose CI, or create CI on behalf of the Department, as is necessary for the Vendor to administer or perform the functions, activities and services that are required to satisfy its obligations under the Contract. This shall include providing the Department with full access to such CI for purposes of auditing the performance of the Vendor under the Contract and as the Department determines is otherwise necessary for: (1) providing treatment to individuals receiving services under the contract; (2) the payment for or reimbursement of those services; and/or (3) health care operations. Operations shall include reporting to the Department to fulfill state or federal reporting requirements. If the Vendor concludes that a client authorization is required for the release of personal data to the Department as required in this section, the Vendor agrees to timely secure client authorizations.

Further Clarification (by MDPH if necessary):

B. For Publication or Presentation

No results or findings derived from the data provided or created pursuant to this contract may be published or publicly released without prior written approval by MDPH. All proposed publications or releases must be submitted for review and comment to MDPH at least thirty days prior to the date of the proposed release for the purpose of ensuring that at a minimum:

- No individual case level data are released;
- All aggregate data are in compliance with the MDPH aggregated data release standards;
- All materials developed with data provided or created pursuant to this contract shall clearly reflect the source of the data, and funding, if applicable, as the Massachusetts Department of Public Health;
- All MDPH recommendations are addressed prior to publication; in certain instances the inclusion of a disclaimer may be required.

The Vendor understands that Department approval pursuant to the conditions

outlined in this subsection is required prior to any distribution by electronic media of data interpretation or findings derived from the data provided, and that any such distribution must be in read-only format. For purposes of this Agreement, publication by electronic media includes the Internet, the Vendor's extranet, electronic bulletin board or newsgroups, RSS or Atom-based syndication, or similar communication modes utilizing the electronic dissemination of information.

C. For Research: The Vendor agrees that it may not disclose CI received from or created or received pursuant to the contract with the Department for research purposes without the written approval of the MDPH Research and Data Access Review (RaDAR) Committee for the specific research.

Section 2. Minimum Necessary. The Vendor agrees to take reasonable steps to limit the amount of CI used and/or disclosed pursuant to Section 1 of this subsection to the minimum necessary to achieve the purpose of the use and disclosure.

V. PLEDGE BY AUTHORIZED USERS: The Vendor will limit access to the CI to only those individuals it has authorized to access the CI. All authorized users must sign the Confidentiality Pledge, attached to this agreement, prior to accessing the CI. Vendor shall hold a Confidentiality Pledge for each authorized user, and shall provide to the Department a copy of each pledge within ten (10) days of the signing of each pledge.

VI. TERMINATION OR COMPLETION OF CONTRACT WITH THE VENDOR

Section 1. Termination Upon Breach of Provisions Applicable to CI. The Department may terminate this Contract immediately upon written notice, as specified in section 5 of the Commonwealth Standard Terms and Conditions, if the Department determines, in its sole discretion, that the Vendor has materially breached any of its obligations regarding CI. Prior to terminating this Contract as permitted above, the Department, in its sole discretion and according to standards approved by the Department, may provide an opportunity for the Vendor to cure the breach or end the violation. If such an opportunity is provided, but cure is not feasible, or the Vendor fails to cure the breach or end the violations within a time period set by the Department, the Department may terminate the Contract immediately upon written notice.

Section 2. Effect of Termination or Completion:

- A.** The Vendor agrees that within 14 days of the termination or completion of this Contract, it will return, or destroy, at Department's direction and according to standards approved by the Department, any and all CI that it maintains in any form, including CI that is in the possession of its subcontractors or agents and will retain no copies of the CI.
- B.** Notwithstanding the foregoing, to the extent that the Department agrees that it is not feasible to return or destroy such CI, the Vendor shall continue to

ensure the privacy and security of the Department's CI so long as it retains the CI. All protections pertaining to any CI covered by this Agreement shall remain in force for so long as the Vendor maintains the CI.

- C. The Confidentiality Agreement is coterminous with the underlying contract. If a renewal contract is signed, a renewal confidentiality agreement is also required. To the extent that a contract agreement is amended, the confidentiality agreement shall be amended as needed.

Section 3. Survives the Termination of the Contract. Notwithstanding any other provisions concerning the term of the Contract, all obligations of the Vendor and protections pertaining to the privacy and security of CI under this Agreement shall continue so long as the Vendor retains any CI covered under this agreement.

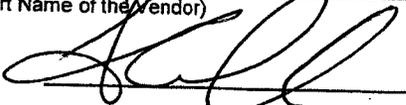
VII. MISCELLANEOUS PROVISIONS

Section 1. Remedies. Nothing in this Agreement shall be construed to waive or limit any of the Department's legal rights or remedies that may arise from the Vendor's unauthorized use or disclosure or security breach. The Department's exercise or non-exercise of any authority under the Agreement including, for example, any rights of inspection or approval of privacy or security practices or approval of subcontractors, shall not relieve the Vendor of any obligations as set forth herein nor be construed as a waiver of any of the Vendor's obligations, or as an acceptance of any unsatisfactory practices, or privacy or security failures by the Vendor.

Section 2. Interpretation. Any ambiguity in this contract shall be resolved to permit the Department to comply with M.G.L. c. 66A, and any other law pertaining to the privacy or security of Confidential Information.

The Vendor has caused its duly authorized representative to execute this Agreement.

City of Gloucester - Police
(Insert Name of the Vendor)

By 

Title Chief of Police

Date 2/29/16



**THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC HEALTH**

Pledge of Confidentiality

**Agreement for the Use of Confidential Information
Department of Public Health**

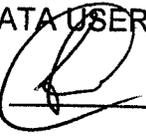
I, the undersigned, understand that in the course of my work for _____, (name or organization) relating to a contract with the Massachusetts Department of Public Health (MDPH), I may have access to confidential information--including personal data about individuals or security information--either provided by MDPH or created on its behalf. This information may be contained in paper forms, computerized data bases or other media.

I understand that access to this confidential information is provided for the sole purpose of the work covered by the MDPH contract. I understand that this confidential information is protected from unauthorized disclosure under state law and that its use for this contract is limited by law and MDPH Confidentiality Policy and Procedures.

I recognize that the unauthorized use or disclosure of any confidential information may cause serious harm to individuals and damage to the mission of the Massachusetts Department of Public Health. Such unauthorized use is inconsistent with the terms of the contract, is against the ethical standards of my profession, may be a violation of state and/or federal law, and may be sufficient cause for MDPH to terminate this contract, bar future participation in MDPH contracts or take other legal action.

In order to preserve the confidentiality of the MDPH confidential information and the integrity of the data systems to which I have access, I acknowledge and agree that:

DATA USER INITIALS BELOW:

1.  Regardless of how obtained, I will respect the confidentiality of all MDPH confidential information to which I have access. I will not disclose any confidential information unless authorized to under the contract with the MDPH and I will not attempt to access confidential information to which I am not entitled.

2.  I will conduct any related activities, including but not limited to: analysis, discussion with others authorized to access this confidential information, and report writing performed with computerized data/information or paper

form resources, in accordance with all applicable policies and procedures and best practices.

3.  I will ensure the physical security of all MDPH confidential data when I leave my work area unattended through the use of locked files, locked workstations, locked offices, and similar methods. This applies to the security of medical records, case review forms, computerized printouts, computer diskettes and other materials relevant to my project duties.
4.  Any passwords and/or identification codes assigned to me for access to computers containing MDPH confidential information are intended for my professional project-related use only. I understand that I will be accountable for all data, reports, and other activities performed under my assigned passwords and identification codes. I will not disclose my passwords/ID codes to others and will be responsible for assuring that any employees that I supervise are assigned their own passwords/codes.
5.  I will report to my supervisor or the MDPH contact any misuse of computing resources or MDPH confidential information, or anything which leads me to suspect that the security of my own passwords has been compromised.
6.  I will report to my supervisor, or if I am the supervisor, to the MDPH contact, any inappropriate disclosure of confidential information provided by MDPH or created by this contract.
7.  I will not discuss MDPH confidential information except in the performance of contract-related duties and only if authorized.
8.  I will not remove any MDPH confidential information from the work place unless explicitly authorized by MDPH and my supervisor.
9.  I will not place confidential information on a laptop or transmit the information electronically unless explicitly authorized by MDPH and my supervisor and shall be responsible for following all relevant standards if approved to use a laptop or transmit confidential information.
10.  I understand that infringement of these rules could result in the denial of future authorization of access to MDPH confidential information.
11.  I understand that all confidential information provided by or created on behalf of MDPH are owned by the MDPH and no findings derived from the data provided or created pursuant to this contract may be published or publicly released without prior submission and written approval by MDPH.

I have read the Confidentiality Agreement that is part of the contract with the Massachusetts Department of Public Health and I agree to abide by the conditions therein.



Confidential Information User's Signature

2-29-16
Date

LEONARD CAMPANELLO

Confidential Information User's name (printed or typed)

GLOUCESTER POLICE DEPT.

Vendor



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108-4619

W16058

CHARLES D. BAKER
Governor

KARYNE E. POLITO
Lieutenant Governor

MARYLOU SUDDERS
Secretary

MONICA BHAREL, MD, MPH
Commissioner

Tel: 617-624-6000
www.mass.gov/dph

TO: Matt Courchene, Acting Chief Financial Officer, Department of Public Health
FROM : Charles A. Whiteman, Director of Administration and Finance
Bureau of Substance Abuse Services
DATE: September 14, 2015
RE: Assignment of Contracts per FY'16 Earmarking Language

The Bureau of Substance Abuse Services (BSAS) is requesting a waiver from normal procurement procedures. Earmarking language in the FY'16 Conference budget requires the Bureau to provide a non-competitive contract to the City of Gloucester. The contract will be up to \$100,000.00 in the 2340 unit code. The vendor is prequalified.

Funds for this contract are available through the BSAS account 4512-0200. The contract will be written from October 1, 2015 through June 30, 2016. Any further funding for these services will be subject to continued legislative earmarking. Your approval is requested and appreciated.

Charles A. Whiteman, Director of Administration and Finance
Bureau of Substance Abuse Services

Mary Beth Curley
Assistant Director of Procurement, Purchase of Service Office

Matt Courchene
Acting Chief Financial Officer

ENCLOSURE 5

CITY OF GLOUCESTER

Job Description

Title: Veterans Agent

Supervisor: Chief Administrative Officer

Grade: M4

Civil Service: Provisional

Union: GMAA

Supervision Exercised: Senior Clerk and volunteers

Responsibilities:

This position is responsible for providing assistance to local veterans under the provisions and directions of the State Department of Veteran Services (Ch. 115), U.S. Title Code 38 and Federal GI Bill of Rights. As Department Head, assumes direct responsibility for department results, reporting requirements and develops department goals, objectives and budget.

Duties:

- ♦ Assists veterans and dependents in filing for benefits through the Department of Veterans Affairs. Assists with appeals of adverse decisions.
- ♦ Interviews and performs needs assessment of all applicants for veteran's benefits.
- ♦ Refers veterans to other agencies and institutions for assistance. Responds appropriately to other agencies.
- ♦ Communicates verbally or in writing veterans rights and benefits to individuals or groups of veterans.
- ♦ Performs regular outreach to educate the veterans and their families on available benefits.
- ♦ Performs home visits when needed.
- ♦ Assists veterans in job placement, housing, education and re-training programs.
- ♦ Prepares, screens, and monitors grants, prepares budget, annual report, and all financial transactions of department. Prepares/supervises payroll and payments.
- ♦ Attend all applicable Veteran's related meetings, conferences and training.
- ♦ Ensures all reimbursement due to city through timely reporting to state on all benefits paid.
- ♦ Participates in and advises Gloucester United Veterans Council on Memorial Day, Veterans Day, and other ceremonies and observances pertaining to veterans. Advocates for appropriate recognition of service.
- ♦ Monitors maintenance and upkeep of War and Veterans' Memorials city-wide. Advises administration if work is needed.
- ♦ Oversees usage and maintenance of Veterans' Center building, office and grounds.
- ♦ Supervises office staff and volunteers.
- ♦ Coordinates Veterans' Honor Flag weekly display.
- ♦ Ensures all veterans receive proper burials and grave markers. Maintains all records of veteran's graves in the city.
- ♦ Ensures all grave sites are decorated appropriately for Memorial Day and Veterans Day.
- ♦ Interacts with other community organizations, i.e. Chamber of Commerce, Rotary, etc., as spokesperson for veterans issues

Qualifications:

- ◆ Bachelor's Degree plus a minimum of three year's related experience in human relations, social work or related field. Prior experience in Veterans benefits administration preferred or any equivalent combination of education and experience.
- ◆ Supervisory ability.
- ◆ Considerable knowledge of Federal and State laws, regulations and codes pertaining to veterans services.
- ◆ Excellent oral and written communication skills
- ◆ Computer literacy.
- ◆ Strong skills in accounting and budgeting.
- ◆ Ability to deal with diverse groups of people and individuals and assumes a leadership role with community and government agencies.
- ◆ Must be flexible and able to function independently in a busy small office atmosphere.
- ◆ Training courses in veterans services conducted on State and/or Federal levels must be undertaken as required to update knowledge of law.
- ◆ Honorably Discharged Veteran of wartime service.
- ◆ Valid Massachusetts driver's license required.

DIVISION 4. - DEPARTMENT OF VETERANS' SERVICES

FOOTNOTE(S):

--- (14) ---

State Law reference— Veterans' benefits generally, M.G.L. c. 115, § 1 et seq.

Sec. 2-290. - Established; purpose.

The department of veterans' services is hereby established to carry out what is required to be done by the city for servicemen under M.G.L. c. 115, and for the purpose of furnishing such information, advice and assistance to veterans as may be necessary to enable them to procure the benefits to which they are, or may be, entitled, and for the purpose of keeping records of veterans' services and photostating and recording their discharges.

(Code 1970, § 26-12)

State Law reference— Requirement to establish local department of veterans' services, M.G.L. c. 115, § 10.

Sec. 2-291. - Appointment, qualifications and general powers and duties of director.

The department of veterans' services shall be administered by a director who shall have all the powers and duties of the veterans' benefits agent and of the director of veterans' services, and who shall be a veteran and shall be appointed by the mayor and approved by the city council for a term of two years.

(Code 1970, § 26-13; Ord. of 7-24-2012(02))

Sec. 2-292. - Clerks.

The director of the department of veterans' services shall be assisted by such clerks, either regular or temporary, as the city council shall, from time to time determine.

(Code 1970, § 26-14)

Sec. 2-293. - Duties.

The director and employees of the Department of Veterans' Services shall advise and assist persons who have enlisted or have been inducted or entered into the armed forces of the United States and who shall be veterans of the armed forces, and the dependents of all such persons, concerning their rights and privileges under federal, commonwealth and local laws. They shall also advise and assist such veterans in obtaining employment, training and retraining for any employment, in obtaining opportunities for further education, and in obtaining medical treatment and assistance. The department shall further keep informed as to the programs or facilities of any organization, whether public or private, of service to or of interest to veterans and their dependents and in general shall carry on its activities for the purpose of extending aid, other than soldiers' relief and commonwealth and military aid disbursed under M.G.L. c. 115, to members of the armed forces and their families, or veterans and their families.

(Code 1970, § 26-15)

ENCLOSURE 6

City Hall
Nine Dale Avenue
Gloucester, MA 01930



TEL 978-281-9700
FAX 978-281-9738
stheken@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

March 14, 2016

Mr. Jack Palazola
44 Lexington Avenue, Unit 44
Magnolia, MA 01930

Dear Jack:

I am pleased to appoint you to a three year term on the **Magnolia Woods Oversight and Advisory Committee**. Your appointment will be sent to the City Council for their meeting of March 22, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to attend and vote at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment. Please report to the City Clerk's Office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again

Sincerely,

A handwritten signature in black ink, appearing to read "Stefania Romeo Theken". The signature is fluid and cursive, written over the word "Sincerely,".

Stefania Romeo Theken
Mayor

cc: Mayor's Report to the City Council

Christine Pantano

From: noreply@civicplus.com
Sent: Wednesday, January 20, 2016 1:11 PM
To: Christine Pantano
Subject: Online Form Submittal: Mayor Contact Us

*44 Lexington Ave
Unit 44*

If you are having problems viewing this HTML email, click to view a [Text version](#).

Mayor Contact Us

If you have a question or concern you would like the Mayor's Office to address, please submit this form. We will try to address your request in a timely manner.

Personal Information

Name*	Jack Palazola	City*	Gloucester
Phone Number*	978-526-0181	State*	MA
Email Address	palazolasinc@yahoo.com	Zip*	01930

Staff Members

Which staff member would you like to contact?*

- Sefatia Romeo Theken - Mayor
- Christine Pantano - Executive Secretary
- Jim Destino - Chief Administrative Officer

Questions & Concerns

What is the nature of your request?*

Please consider me for the open position on the MFOAC. I am a retired Magnolia resident and have always had interest in fields and sports. I lived in Magnolia as a kid and know the area well. I have followed the history of the dump and have an interest in its future.

Would you like to be contacted concerning your request?*

- Yes
- No

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:
<http://www.gloucester-ma.gov/Admin/FormHistory.aspx?SID=9484>

The following form was submitted via your website: Mayor Contact Us

Name: Jack Palazola

City: Gloucester

Phone Number: 978-526-0181

State: MA

Email Address: palazolasinc@yahoo.com

Zip: 01930

Which staff member would you like to contact?: Sefatia Romeo Theken - Mayor

What is the nature of your request?: Please consider me for the open position on the MFOAC. I am a retired Magnolia resident and have always had interest in fields and sports.I lived in Magnolia as a kid and know the area well. I have followed the history of the dump and have an interest in its future.

Would you like to be contacted concerning your request?: Yes

Additional Information:

Form submitted on: 1/20/2016 1:11:04 PM

Submitted from IP Address: 73.17.201.36

Referrer Page: <http://www.gloucester-ma.gov/index.aspx?NID=440>

Form Address: <http://www.gloucester-ma.gov/Forms.aspx?FID=45>

DIVISION 15. - MAGNOLIA WOODS OVERSIGHT AND ADVISORY COMMITTEE

Sec. 2-555. - Purpose.

In recognition of the continuing need for oversight in the city's ownership, operation and maintenance of Magnolia Woods so its full recreational utilization can be sustainably realized and its integrity as an environmental remediation project and as a natural resource for the entire community can be fully protected, the Magnolia Woods Oversight and Advisory Committee is hereby created and established.

The committee shall undertake but not be limited to the following activities:

- (1) Recommend an overall and coordinated program for the use of the recreational facilities at the Magnolia Woods that balances the competing needs for the various recreational and sports programs seeking to use those facilities.
- (2) Review and make recommendations upon plans for proposed maintenance of or capital improvements to any of the facilities or property contained within the Magnolia Woods and provide advisory oversight to the execution of any such plans.
- (3) Recommend programs and activities which can generate revenue streams which can be dedicated to the maintenance or improvement of any of the facilities or property contained within the Magnolia Woods.

(Ord. of 8-23-2011(01))

Sec. 2-556. - Tenure; composition; requirements.

- (a) The Magnolia Woods Oversight and Advisory Committee shall consist of nine members, one of whom will be the Gloucester School System Athletic Director (or his/her designee), two of whom shall be the director of public works (or his/her designee) and the ward councilor representing Ward 5, who shall serve so long as they hold the aforementioned positions. The six remaining members shall initially be appointed by the mayor of the city and approved by the city council under Section 2-10 of the City Charter for the terms listed below and shall be residents of Gloucester:
 - (1) Two members for one year;
 - (2) Two members for two years; and
 - (3) Two members for three years.
- (b) The successors to these initial appointees shall serve for a term of three years. The six appointed members shall represent the following interests:
 - (1) The Cape Ann Youth Soccer Association;
 - (2) The Cape Ann Youth Lacrosse Association;
 - (3) The Cape Ann Model Airplane Flying Association;
 - (4) The neighborhood abutting the Magnolia Woods; and
 - (5) The Magnolia community at large provided, however, that this member shall be a resident in Ward 5 of the city; and provided, further, that the member initially appointed to represent this interest shall have been a member of the Magnolia Woods Ad Hoc Committee, as indicated in the records of the city clerk;

- (6) A representative from the community at large, provided that this member, however, will be a registered voter of the city.

(Ord. of 8-23-2011(01))

Sec. 2-557. - Vacancies.

In case of resignation, death or disqualification of any member of the committee, or for the purpose of filling a vacancy for any other reason, the appointment of a new member to fill the unexpired term of such previous member immediately shall be made by the mayor and forwarded to the city council for its approval.

(Ord. of 8-23-2011(01))

Sec. 2-558. - Assistance of city officials, boards and employees.

The committee shall receive regular support and assistance from the department of public works.

(Ord. of 8-23-2011(01))

City Hall
Nine Dale Avenue
Gloucester, MA 01930



CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TEL 978-281-9700
FAX 978-281-9738
stheken@gloucester-ma.gov

March 14, 2016

Mr. William S. Muniz
8 Links Road
Gloucester, MA 01930

Dear Mr. Muniz:

Thank you for your interest in serving on the City of Gloucester's **Fisheries Commission**. I am pleased to appoint you to a three year term on this commission. Your appointment will be sent to the City Council for their meeting of March 22, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to attend and vote at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions, please do not hesitate to contact my office.

Thank you again.

Sincerely,

Seratia Romeo Theken
Mayor

cc: Mayor's Report to the City Council
Mark Ring, Chair-Fisheries Commission.

Christine Pantano

From: fvilly@gmail.com
Sent: Tuesday, March 08, 2016 6:03 PM
To: Sefatia Romeo Theken
Subject: Fisheries commission. William Muniz

Dear, Mayor Sefatia

I William S Muniz is asking to be place on the Gloucester Fisheries commission as a board member. I have been a board member of the Cape Ann commercial fisherman's loan fund for over 20 years. Representing ACTION. I just resign as Vice President of the Northeast Fishery Sector III after 6 years. I been a fishermen for over 30 years. I would be honored to sit on the commission and help in any capacity. Thank you for your consideration on this matter.

William S Muniz.

Sent from my iPad

FISHERIES COMMISSION

1956

AN ACT INCORPORATING THE GLOUCESTER FISHERIES COMMISSION. Chap. 260

Be it enacted, etc., as follows:

SECTION 1. There is hereby created a body politic and corporate to be known as the Gloucester Fisheries Commission which shall be deemed to be a public instrumentality for the purposes of this act and shall have an official seal as determined by the original membership of the commission.

SECTION 2. Said Gloucester Fisheries Commission shall be set up and sponsored by the city of Gloucester to investigate, advocate and recommend measures for the promotion, preservation and protection of the Gloucester fishing industry.

SECTION 3. Members of this commission shall be appointed by the mayor for a term concurrent with that of the mayor and shall be the mayor who shall be chairman, three members of the city council and five persons who are actively connected with the production, processing or employment phases of the industry.

SECTION 4. The city of Gloucester is hereby authorized to appropriate annually a sum of money not exceeding three thousand dollars for the purposes of said Gloucester Fisheries Commission.

SECTION 5. This act shall take effect upon its passage.
Approved April 11, 1956.

62

Chap. 631. AN ACT RELATIVE TO THE MEMBERSHIP OF THE GLOUCESTER FISHERIES COMMISSION AND INCREASING THE AMOUNT OF MONEY THAT THE CITY OF GLOUCESTER MAY APPROPRIATE FOR SAID COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 260 of the acts of 1956 is hereby amended by striking out section 3 and inserting in place thereof the following section: — Section 3. The commission shall consist of the mayor and twelve persons to be appointed by him, of whom two shall be members of the city council and five shall be connected with the production, processing or employment phases of the industry. Each member shall serve for a term concurrent with that of the mayor, who shall be chairman thereof.

SECTION 2. Said chapter 260 is hereby further amended by inserting after section 3 the following section: —

Section 3A. The city manager may appoint a permanent secretary to said commission upon its recommendation. Said secretary shall have no vote and shall receive such compensation as may be determined by the city manager with the approval of the city council.

SECTION 3. Said chapter 260 is hereby further amended by striking out section 4 and inserting in place thereof the following section: —

Section 4. The city of Gloucester is hereby authorized to appropriate annually a sum of money not exceeding twenty thousand dollars for the purposes of said Gloucester Fisheries Commission.

SECTION 4. This act shall take effect upon its acceptance by the city of Gloucester.
Approved July 5, 1962.



The Commonwealth of Massachusetts

1970

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY.

AN ACT

CODIFYING AND AMENDING THE ACTS OF 1956, CHAPTER 260 AND OF 1962, CHAPTER 631 RELATIVE TO THE INCORPORATION OF, MEMBERSHIP IN, AND MONIES TO BE APPROPRIATED BY THE CITY OF GLOUCESTER FOR THE BENEFIT OF, THE GLOUCESTER FISHERIES COMMISSION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 260 of the Acts of 1956 and Chapter 631 of the Acts of 1962 are hereby amended by striking out, in their entirety, said Chapter 260 of the Acts of 1956 and Chapter 631 of the Acts of 1962 and inserting in place thereof the following codified and amended version:

Section 1. There is hereby created a body politic and corporate to be known as the Gloucester Fisheries Commission which shall be deemed to be a public instrumentality for the purposes of this Act and shall have an official seal as determined by the original membership of the Commission.

Chapter

Ch 7 1978

178

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Seventy-eight

AN ACT RELATIVE TO THE GLOUCESTER FISHERIES COMMISSION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 620 of the acts of 1956 is hereby amended by striking out section 3, as amended by section 1 of chapter 631 of the acts of 1962, and inserting in place thereof the following section:-

Section 3. There shall be nine members of the commission one of whom shall be the mayor of the city of Gloucester who shall be the chairman and eight persons to be appointed by said mayor, in accordance with the city charter, three of whom shall be members of the city council of said city and five of whom shall be actively connected with the production, processing or employment phases of the fishing industry.

SECTION 2. Said chapter 260 is hereby further amended by striking out section 3A, inserted by section 2 of said chapter 631, and inserting in place thereof the following section:-

Section 3A. The mayor may appoint an executive secretary to said commission upon its recommendation. Said executive secretary shall have no vote and shall receive such compensation as may be determined by the mayor with the approval of the city council.

SECTION 3. Said chapter 260 is hereby further amended by striking out section 4, as amended by section 3 of said chapter 631, and inserting in place thereof the following two sections:-

Section 4. The city of Gloucester is hereby authorized to appropriate annually a sum of money not exceeding sixty thousand dollars for the purposes of said commission.

Section 4A. Said commission may accept and expend gifts, bequests or devises of personal property or interests in real property for the purposes of said commission in the name of said city or of said commission subject to the approval of the mayor and the city council of said city as provided in section fifty-three A of chapter forty-four of the General Laws.

SECTION 4. This act shall take effect upon its passage.

BA
Gloucester

AN ACT RELATIVE TO THE MEMBERSHIP OF THE GLOUCESTER FISHERIES COMMISSION.

1980

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 260 of the acts of 1956 is hereby amended by striking out section 3, as most recently amended by section 1 of chapter 519 of the acts of 1978, and inserting in place thereof the following section:-

Section 3. The commission shall consist of thirteen members, as follows: (a) the mayor or his designee, shall be the chairman and (b) twelve persons to be appointed by the said mayor, seven of whom shall be heads of organizations within the city relating to the fishing industry and four of whom shall be other persons residing in the city.

SECTION 2. Said chapter 260 is hereby further amended by striking out section 3A, as amended by section 2 of said chapter 519, and inserting in place thereof the following section:-

Section 3A. The mayor upon the recommendation of the commission may appoint an executive director who shall receive such compensation as may be determined by the mayor with the approval of the city council.

SECTION 3. This act shall take effect upon its passage.

House of Representatives, June

20, 1980.

Passed to be enacted,

George Laverian

, Speaker.

In Senate, June

23, 1980.

Passed to be enacted,

William A. Butler

, President.

July 3, 1980.

Approved,

at *10* o'clock and *37* minutes, *A. M.*

Edward J. King
Governor.

THE COMMONWEALTH OF MASSACHUSETTS
ADVANCE COPY 1984 ACTS AND RESOLVES
MICHAEL JOSEPH CONNOLLY, SECRETARY OF STATE

1984

Chap. 338. AN ACT RELATIVE TO THE MEMBERSHIP OF
THE GLOUCESTER FISHERIES COMMISSION.

Be it enacted, etc., as follows:

~~Chapter 260 of the acts of 1956~~ is hereby amended by striking
out section 3, as most recently amended by section 1 of chapter
~~361 of the acts of 1980~~ and inserting in place thereof the follow-
ing section:-

Section 3. The commission shall consist of thirteen members,
one of whom shall be the mayor or his designee, and twelve
persons to be appointed by the mayor, seven of whom shall be
elected officers of organizations within the city, whose primary
concern is the fishing industry and four of whom shall be other
persons residing in the city and one of whom shall be a lay
person. The chairman of the commission shall be elected by a
vote of the majority of the members present and voting thereon.

Approved December 17, 1984.

City Hall
Nine Dale Avenue
Gloucester, MA 01930



CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TEL 978-281-9700
FAX 978-281-9738
stheken@gloucester-ma.gov

March 14, 2016

Ms. Carolyn Benson
42 Cherry Street
Gloucester, MA 01930

Dear Ms. Benson:

Thank you for your interest in serving on the City of Gloucester's **Planting Committee**. I am pleased to appoint you to a three year term on this committee. Your appointment will be sent to the City Council for their meeting of March 22, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to attend and vote at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions, please do not hesitate to contact my office.

Thank you again.

Sincerely,



Serafia Romeo Theken
Mayor

cc: Mayor's Report to the City Council
William Taylor and Bonnie Angus, Planting Committee members

What is the nature of your request?: I am interested in volunteering in the city. Hoping there is some type of "beautification" or planting or something with a group of people? I love our beautiful city and want to help improve our image. (although I rather like the crowds going to the "other cape"!!) Love to make new friends too!!

Would you like to be contacted concerning your request?: Yes

Additional Information:

Form submitted on: 3/8/2016 8:35:04 AM

Submitted from IP Address: 71.233.173.80

Referrer Page: <http://gloucester-ma.gov/index.aspx?nid=346>

Form Address: <http://gloucester-ma.gov/Forms.aspx?FID=45>

ARTICLE II. - CITY PLANTINGS COMMITTEE

FOOTNOTE(S):

--- (2) ---

Editor's note—In keeping with the general format of the Code art. II, §§ 24-41—24-44, have been redesignated as herein set out by the editor.

Sec. 24-41. - Established.

There is hereby established a city plantings committee, consisting of the director of public works or his designee, the tree warden, and not less than three nor more than seven additional members appointed by the mayor from the voters and residents of the city. Appointees shall serve staggered terms of three years, and appointments shall be subject to Charter sections 3-3 and 2-10.

(Ord. No. 15-1991, 5-28-1991)

Sec. 24-42. - Chairperson.

The chairperson of the city plantings committee shall be designated, from time to time, by the mayor. Members shall serve without compensation.

(Ord. No. 15-1991, 5-28-1991)

Sec. 24-43. - Duties.

It shall be the duty of the city plantings committee to plan and coordinate plantings on city land, in public parks, and on public land alongside roads and ways within the city; to foster programs for maintaining these; to coordinate with representatives of the state planting arrangements involving state highways and lands; to advise the city on questions of planting; and in general, to encourage and facilitate plantings which benefit the city. The committee has the duty to determine that any land to be planted is not privately controlled land.

(Ord. No. 15-1991, 5-28-1991)

Sec. 24-44. - Authority of tree warden or director of public works.

Nothing in this chapter shall be construed as reducing or abridging the authority of the tree warden or the director of public works as provided in this chapter and any other applicable provisions in this Code of Ordinances and under M.G.L. c. 87.

(Ord. No. 15-1991, 5-28-1991)

Save Our Shores Gloucester

CITY CLERK
GLOUCESTER, MA
16 FEB 26 AM 9:38

Feb. 15, 2016

Dear Ward 1 Councilor Scott Memhard,

We are a group of citizens alarmed about efforts to develop critical natural habitat resources on the coastline of Gloucester. A recent open meeting we held on this topic drew over 100 Gloucester residents equally concerned.

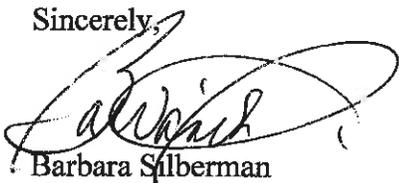
We seek to understand what the city has undertaken, and is planning, to protect our vital environmental, economic and cultural resources including but not limited to the “Back Shore” along Atlantic Road. Due to the urgency of this matter, we ask that you facilitate a meeting within the next ten days with representatives of our group, yourself, Mayor Theken, and Community Development director Tom Daniels, Planning Board Chair Rick Noonan and staff Gregg Cademartori, Conservation Committee Chair Robert Gulla and staff Ken Whitaker, and other key personnel from relevant boards and committees who address city planning and development to discuss this matter.

Further we request that you spearhead an official effort to bring together the mayor and key Gloucester city committees/entities to review recommendations from the 2001 Gloucester Community Development Plan, the Gloucester Reconnaissance Report and Essex County Landscape Inventory, the 2011-17 Open Space and Recreation Plan, the Coastal Climate Change Vulnerability Assessment and Adaptation Plan, the 2010 Community Preservation Plan – and any other relevant plans – to help prioritize implementation of recommendations and set Gloucester on a course where we are not reacting to emergent issues, but rather anticipate and prevent crises, prioritize and institute “permanent protections” for critical areas, address serious environmental challenges, and achieve Gloucester’s overarching open space goals.

As stated in the 2001 Gloucester Community Development Plan, regarding its overarching open space goals, the City must:

“Identify, prioritize, and preserve highly valued open space through permanent protection, and increase public access to open space and waterfronts, consistent with preservation of environmental resources and consideration of needs and amenities of neighborhoods and the City as a whole.”

Sincerely,



Barbara Silberman
Chair, Save Our Shores Gloucester

cc: Mayor Sefatia Romeo-Theken, City Council President Joe Ciolino, Community Development Director Tom Daniels, Planning Board Chair Rick Noonan, and Conservation Commission Chair Robert Gulla

nationalgrid

CITY CLERK
GLOUCESTER, MA
16 MAR 14 AM 9:50

March 9, 2016

City of Gloucester

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID covering the installation of underground facilities.

If you have any questions regarding this permit please contact:

Barbie Hernandez 781-907-3450

If this petition meets with your approval, please return an executed copy to:

National Grid Contact: Vincent LoGuidice; 1101 Turnpike Street; North Andover, MA 01845
Phone 978-725-1392.

Very truly yours,



Name: Distribution Design Supervisor
Supervisor, Distribution Design

Enclosures

Questions contact – Barbie Hernandez 781-907-3450

Petition of the NATIONAL GRID
Of NORTH ANDOVER, MASSACHUSETTS
For Electric conduit Location:

To City Council of Gloucester, Massachusetts

Respectfully represents the NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Cambridge Ave – Gloucester – Massachusetts.

The following are the streets and highways referred to:

Plan # 21260534 Cambridge Ave - National Grid to install approximately 60ft service conduit from pole #1294 to 16 Cambridge Ave.

Location approximately as shown on plan attached

NATIONAL GRID
BY _____
Engineering Department



Dated: February 29, 2016

Telephone

ORDERED:

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 29th day of February, 2016.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Cambridge Ave – Gloucester – Massachusetts. Plan # 21260534.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Cambridge Ave - National Grid to install approximately 60ft service conduit from pole #1294 to 16 Cambridge Ave.

I hereby certify that the foregoing order was adopted at a meeting of the
.....
....., held on the day of, 20
....., 20

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
.....

..... hereby certify that on20....., at o'clock,M
at, a public hearing was held on the petition of
NATIONAL GRID for permission to construct the underground electric conduits described in the
order herewith recorded, and that I mailed at least seven days before said hearing a written notice
of the time and place of said hearing to each of the owners of real estate (as determined by the last
preceding assessment for taxation) along the ways or parts of ways upon which the Company is
permitted to construct the underground electric conduits under said order. And that thereupon said
order was duly adopted.

.....
.....
.....

Electric

ORDERED:

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 29th day of February, 2016.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Cambridge Ave – Gloucester – Massachusetts. Plan # 21260534.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Cambridge Ave - National Grid to install approximately 60ft service conduit from pole #1294 to 16 Cambridge Ave.

I hereby certify that the foregoing order was adopted at a meeting of the
....., held on the day of, 20
....., 20

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
.....

..... hereby certify that on20....., at o'clock,M
at, a public hearing was held on the petition of
NATIONAL GRID for permission to construct the underground electric conduits described in the
order herewith recorded, and that I mailed at least seven days before said hearing a written notice
of the time and place of said hearing to each of the owners of real estate (as determined by the last
preceding assessment for taxation) along the ways or parts of ways upon which the Company is
permitted to construct the underground electric conduits under said order. And that thereupon said
order was duly adopted.

.....
.....
.....

Verizon

ORDERED:

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 29th day of February, 2016.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Cambridge Ave – Gloucester – Massachusetts. Plan # 21260534.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Cambridge Ave - National Grid to install approximately 60ft service conduit from pole #1294 to 16 Cambridge Ave.

I hereby certify that the foregoing order was adopted at a meeting of the
.....
....., held on the day of, 20
....., 20

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
.....

..... hereby certify that on20....., at o'clock,M
at, a public hearing was held on the petition of
NATIONAL GRID for permission to construct the underground electric conduits described in the
order herewith recorded, and that I mailed at least seven days before said hearing a written notice
of the time and place of said hearing to each of the owners of real estate (as determined by the last
preceding assessment for taxation) along the ways or parts of ways upon which the Company is
permitted to construct the underground electric conduits under said order. And that thereupon said
order was duly adopted.

.....
.....
.....



City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 119-48

Please be aware that the address that reflects mailing address for the real estate tax bills as requested by the property owner. Mailing address, deeds and other records/notifications may be reflecting the notification and not the location as required. Please be sure you are comparing with notification requirements.
Gloucester Board of Assessors

This list of owners of record as shown on the most recent tax list of the City of Gloucester has been prepared for the purposes of notifying abutters within 100ft as required by the City's City Council and it reflects the abutters to the Parcel known as Map 119 Lot 48 as further shown on the attached map dated 2/26/2018.

ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
119-43 WILLIAMSON GEORGE & MOLLY	1 ADAMS AV	119-43	WILLIAMSON GEORGE & MOLLY 1 ADAMS AV GLOUCESTER, MA 01930
119-44 FRENCH TIMOTHY H	11 CAMBRIDGE AV	119-44	FRENCH TIMOTHY H 2 NORROCK RD GLOUCESTER, MA 01930
119-47 BENT PETER V P & SALLY V S C/O BROWNS YACHT YARD	14 CAMBRIDGE AV	119-47	BENT PETER V P & SALLY V S C/O BROWNS YACHT YARD R138 EAST MAIN ST GLOUCESTER, MA 01930
119-48 BRYNEMERE ASSOCIATES INC	12 CAMBRIDGE AV	119-48	BRYNEMERE ASSOCIATES INC 12 CAMBRIDGE AV GLOUCESTER, MA 01930
119-28 KANE ANNE ROMAN	5 CAMBRIDGE AV	119-28	KANE ANNE ROMAN 10 STILLMEADOW RD WESTON, MA 02493
119-45 DECOTIS DEBORAH	20 CAMBRIDGE AV	119-45	DECOTIS DEBORAH 180 EAST 72ND ST NEW YORK, NY 10021
119-46 DECOTIS DEBORAH	16 CAMBRIDGE AV	119-46	DECOTIS DEBORAH 180 EAST 72ND ST NEW YORK, NY 10021



City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 119-46

Please be aware that the abutters list reflects mailing addresses for the said estate (in title as reported by the company owners, Mortgage companies, banks and other financial institutions) may be receiving the notification and not the homeowner as required. Please be sure you are complying with notification requirements.

Gloucester Board of Assessment

This list of owners of record as shown on the most recent tax list of the City of Gloucester has been prepared for the purposes of notifying abutters within 100ft as required by the City's City Council and it reflects the abutters to the Parcel known as Map 119 Lot 46 as further shown on the attached map dated 2/26/2016.

ABUTTER

STREET ADDRESS

PARCEL NO.

TAX BILL ADDRESS

The Gloucester Board of Assessors certifies that the Abutters Report program written to create a list of the names and addresses of property owners from the applicable tax list has been reviewed. To the best of our knowledge and belief the Abutters Report program generates an accurate list from the most recent tax list of the assessed owner of record and the mailing information of the parties in interest as defined within and required by the law and therefore the within document constitutes a certified abutters list.

Nancy A. Papows, MAA

Gary I. Johnstone, MAA

Bethann B. Godinho, MAA

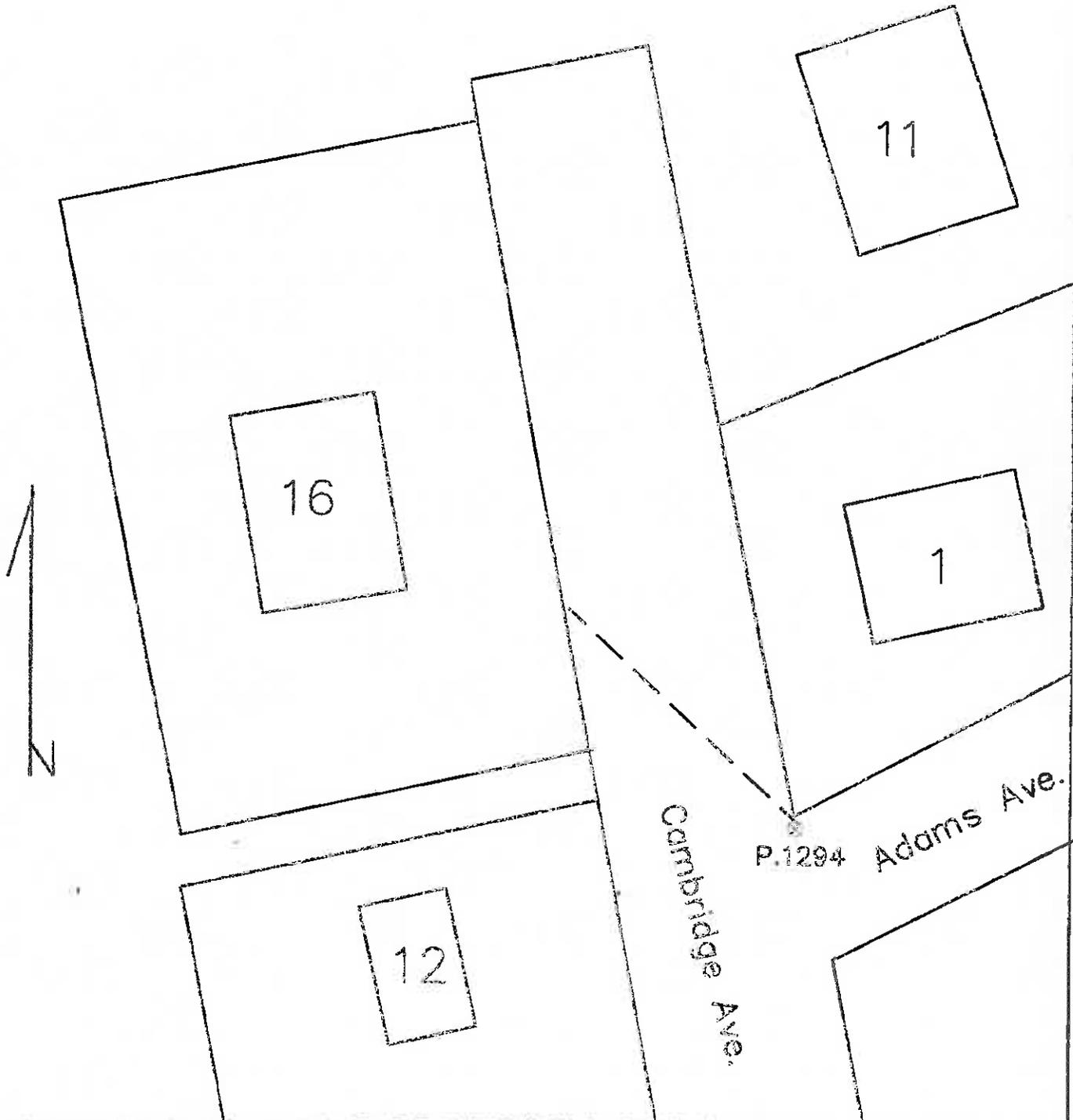
GLoucester BOARD OF ASSESSORS

City of Gloucester Assessors' Office, City Hall, 9 Dale Avenue, Gloucester, MA 01930

2/26/2016

Exhibit A—Not to Scale

The exact location of said Facilities to be established by and upon the installation and erection of the Facilities thereof.



- LEGEND
- PROPOSED SO POLE
 - PROPOSED JO POLE
 - ⊕ REMOVED POLE
 - ⊙ EXISTING POLE
 - Service conduit

PETITION
install 60ft. of conduit in the public way.
36 Cambridge Ave.
City of Gloucester

Date: 2/29/2018
Designer: Glynn
Work Request: 2129053



GLOUCESTER CITY COUNCIL MEETING

Tuesday, March 8, 2016 – 7:00 p.m.

Kyrouz Auditorium – City Hall

-MINUTES-

Present: Chair, Councilor Joseph Ciolino; Vice Chair, Steven LeBlanc, Jr.; Councilor Melissa Cox; Councilor Valerie Gilman; Councilor Scott Memhard; Councilor Sean Nolan; Councilor James O’Hara; Councilor Joseph Orlando, Jr.

Absent: Councilor Lundberg

Also Present: Mayor Sefatia Theken; Linda T. Lowe; Kenny Costa; Jim Destino; Chip Payson; John Dunn;

Special Guests included: State Rep. Ann-Margaret Ferrante; Linzee Coolidge; Former Mayor John Bell

The meeting was called to order at 7:00 p.m.

The Council President announced that this meeting is recorded by video and audio, in accordance with state Open Meeting Law.

Flag Salute & Moment of Silence. Council President Ciolino dedicated the Moment of Silence in memory of Kay Ellis co-owner of the Schooner Thomas Lannon. He said that she was a pillar of the community and the “Queen of Gloucester Harbor.” He noted she was instrumental in founding Discover Gloucester, and said that her passing is a great loss for the city.

Oral Communications:

Rowan Trainor, 15 Chapel Street, a nine-year old, spoke in support of dogs being off leash on Dogtown Common every day, and at city beaches in the fall and winter seasons. She added that dogs should be allowed off leash at Goose Cove Reservoir also.

Presentations/Commendations:

1 of 2: Anthony Bertolino for his years of service on the Traffic Commission

Council Vice President Steven LeBlanc read a City Council commendation lauding Anthony Bertolino’s over 40 years of service to the city on the Traffic Commission. He said he is a man who has devoted his skills and time for the good of the community as a valuable advocate for public safety. He expressed the Council’s congratulations to Mr. Bertolino and the best wishes of the Councils past and present with whom he’s worked.

Mayor Sefatia Theken presented her mayoral citation to Mr. Bertolino which highlighted Mr. Bertolino’s 40 years of civic service as an active volunteer participating as a member of the Traffic Commission. She extended the city’s thanks on behalf of all its residents.

Robert Ryan, Traffic Commission Chair, noted he’s worked with Mr. Bertolino for the last 20 years on the Traffic Commission and said he has been an asset to the city. He said the city has greatly benefitted from Mr. Bertolino’s dedication to his volunteer position adding that the commendations are greatly deserved.

Mr. Bertolino extended his thanks to the assembled guests, the Council and the Mayor for his recognition. He pointed that 40 years passes very quickly. He said he is now the ranking Traffic Commission member and said he’s enjoyed his long tenure with the Commission and that it was worthwhile.

2 of 2: The Linzee Coolidge Philanthropy Award presented to John and Mollie Byrnes

Mayor Sefatia Theken gave John and Mollie Byrnes a list of letters of endorsement and remarked that it is amazing what the community has because of them and the Coolidge’s.

Sarah Grow, representing the Linzee Coolidge Philanthropy Award Committee, 12 Marble Road, she recounted the brief history of the Linzee Coolidge Philanthropy Award, named after the founder of the Dusky Foundation, a foundation through whom the Coolidge’s have contributed to so many worthy local causes and charitable organizations in the city. This award is the city’s highest honor for philanthropic giving, she pointed out, and is awarded to individuals to demonstrate substantial generosity following the footsteps of Samuel Sawyer and

Linzee Coolidge. The Award Committee consisting of Ron Nickerson, Cindy Dunn and John Bell was introduced. Thanks were also extended to James Destino, CAO, and Maggie Rosa for their assistance and guidance.

Ms. Grow recounted that Mr. Byrnes was raised in Boston and became successful in the high tech business and spent summers as a child in Rockport. Both he and his wife, Mollie became residents of Cape Ann in 2000, first in Rockport and moved to Gloucester in 2009. She noted Mrs. Byrnes was raised in Buffalo, NY, and attended the Walnut Hill School of Art in Natick. They have two sons, she said. The Byrnes' have been long-time community volunteers making significant contributions and time to many organizations both on Cape Ann and nationally. She noted the Byrnes are trustees of the Peter and Elizabeth C. Tower Foundation established by her parents in 1990 to support community programming that helps children, adolescents and young adults affected by substance abuse, learning disabilities, mental illness and intellectual disabilities. Mrs. Byrnes is a trustee of the Tower Family Fund. She also named several other boards that Mrs. Byrnes serves on. Mr. Byrnes serves on the Board of Pathways for Children, she noted. She listed the organizations the Byrnes' support financially and with their volunteer time such as to name a few: Action, Inc.; Addison Gilbert Hospital's Cardiac Center and that hospital's and Beverly Hospital's Cancer Centers; Cape Ann Art Haven & the Hive; Cape Ann Museum; Cape Ann Symphony; City Hall Restoration Fund; Gloucester Education Foundation; the GFAA; Gloucester Schools; the Grace Center and many, many more -- all of which through their generosity have touched the lives of nearly every Cape Ann resident. She recounted some of the laudatory words from local charitable organizations whom the Byrnes' support. Gloucester has a proud history of philanthropy that has cared for all its residents for hundreds of years, Ms. Grow said, and closed her remarks by saying that, "Those who can do," and that the Byrnes epitomize that credo.

Linzee Coolidge, first recipient and namesake of the Linzee Coolidge Philanthropy Award, mentioned Roger Babson as one of the great Gloucester philanthropists, who may not have foreseen that the Babson stones at Dogtown would have such an impact on so many. He also mentioned Samuel Sawyer who donated the Ravenswood Park to the city. He said that the Byrnes have joined that pantheon of city philanthropists, mentioning that they do so much work to ensure that every dollar they give is a dollar well spent. He said the city is lucky to have the hardest working philanthropists Cape Ann and Gloucester has ever known.

State Rep. Ann-Margaret Ferrante offered her commendation to Mr. Bertolino saying that he was a trailblazing lawyer and was influential in the city's Italian American community. She then recounted how the Italian American community in Gloucester each year prepares their home altars in honor of St. Joseph, her family being no exception typically in its own room and explained the complexity of this annual preparation and ritual that surrounds it. She said that St. Joseph is the patron saint of orphans, for those that are hungry, those who are defenseless and those who need an advocate. She said when she looks at the attributes of St. Joseph and the man he was, she sees the Byrnes. She added that when she speaks of those things that St. Joseph represents, orphans, those who struggle with addiction that are this day's societal orphans, and yet the Byrnes have chosen to champion them. Mentioning the Open Door Food Pantry and their mission to feed the city's hungry, and St. Joseph was the patron saint of the hungry; she said she thinks of the Byrnes. She pointed out there are children will never have the resources that she had to succeed and yet the Byrnes' intervened in children's lives and championed them. Time and time again in the community when the resources for that individual child or a struggling adult fell short, the Byrnes' made up the difference and be their champion when they could have chosen so many different ways to spend their money. On behalf of the communities she represent Rep. Ferrante expressed her thanks to the Byrnes as champions for those that do not have. She added that usually she brings a State House citation but in comparison to the Linzee Coolidge Award, it pales in comparison.

Mayor Theken said that in her role as a health professional at the Addison Gilbert Hospital for 18 years, she said that the hospital center for cancer treatment is there because of the Byrnes which has helped so many in the community. She highlighted that the Byrnes' support of the Open Door Food Pantry and Pathways for Children is where it all starts fundamentally. The children's programs are so wonderful, she said, and everyone who volunteers is priceless. She said the Byrnes have given so much of their time, their heart and soul to give children back their childhood and to allow them to be a child.

The Mayor then said it was her honor on behalf of the citizens of Gloucester to present Molly and John Byrnes with the second Linzee Coolidge Philanthropy Award medallion. Standing with the Mayor were Mr. and Mrs. Coolidge along with Maggie Rosa, Founder and President Emeritus of the Gloucester Education Foundation, whom the Mayor pointed out is another wonderful city volunteer, to a prolonged standing ovation.

Molly Byrnes said one couldn't have chosen a better name for an award as the Coolidge's have given so much to the community. She said she and her husband are a team but each serve separate organizations. She said she learned philanthropy at her father's knee recounting that her parents were very generous with their time and funds. She pointed out that her parents encouraged her and her sibling to participate to strengthen their community. She said private citizens need to do their share, that the government can't do it all. There must be a wide variety of

service organizations for communities to be vibrant. She said her volunteerism started in high school and upon her children leaving home she began to be involved in philanthropy. When she and her husband moved to Cape Ann in 2000 she said they became involved with those organizations that were closer to them. She mentioned that nowhere is an area more welcoming than Cape Ann and noted that she has been welcomed by many organizations. She said it is an honor to be selected for the Linzee Coolidge Philanthropy award.

John Byrnes said he and his wife have been thanked by many organizations but the organizations deserve their thanks and he then mentioned those who work to make the organizations he and his wife support so successful, saying that he chooses to thank those who do the work, not those who give the money and named many people and their related organizations, all of them on Cape Ann from Pathways to Children to the Cape Ann YMCA. He also extended his thanks to Mayor Theken for leading the city into the future.

Council President Ciolino extended his thanks to the Byrnes and said that former Council President Paul McGeary was under the weather but sent his congratulations to Mr. and Mrs. Byrnes.

The Council recessed at 7:43 p.m. and reconvened at 8:07 p.m.

Confirmation of New Appointments:

Community Preservation Committee Ellen Preston TTE 02/14/19

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Ellen Preston to the Community Preservation Committee (At Large), TTE 02/14/19.

DISCUSSION:

Ms. Preston said that she has a good knowledge of the zoning ordinance which may be helpful.

Councilor Gilman noted she worked with Ms. Preston with the Gloucester Education Foundation and with the GFAA, and said that Ms. Preston and is a great person to take on this role.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Cox, the City Council voted 8 in favor, 0 opposed, 1 (Lundberg) absent, to appoint Ellen Preston to the Community Preservation Committee (At Large), TTE 02/14/19.

Council on Aging Robert Quinn TTE 02/14/19

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Robert Quinn to the Community Preservation Committee, TTE 02/14/19.

DISCUSSION: None.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Cox, the City Council voted 8 in favor, 0 opposed, 1 (Lundberg) absent, to appoint Robert Quinn to the Community Preservation Committee, TTE 02/14/19.

Downtown Development Commission Rosemary Lundberg TTE 02/14/19

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Rosemary Lundberg to the Downtown Development Commission, TTE 02/14/19.

DISCUSSION:

Ms. Lundberg expressed her appreciation to serve the city. She said for the last 25 years she's served on civic boards in New York City and in Acton, and now lives in Gloucester downtown with her husband who was born and raised in Gloucester. She said she is looking forward to serving the city.

- **MAYOR'S REPORT**

1. Memorandum from Interim Health Director re: City Council acceptance of an amendment to the FY16 Mass. Opiate Abuse Prevention Collaborative (MOAPC) Grant in the amount of \$70,000 (Refer B&F)
2. Special Budgetary Transfer Request (2016-SBT-11) from the Mayor's Office (Refer B&F)
3. Reappointments:

Planning Board	TTE 02/14/21	Joseph Orlando, Sr.	
City Hall Restoration Commission	TTE 02/14/19	Stephen Pardee	
Historical Commission (Alternate)	TTE 02/14/19	Jude Seminara	
Downtown Development Commission	TTE 02/14/19	Paul T. Russo	(Refer O&A)
4. Memorandum from Police Chief regarding the leasing of two new Chevrolet Silverado 2500 Trucks (Info Only)
5. Information regarding the FY17 Essex North Shore Agricultural & Technical School District Budget (Info Only)
6. Addendum to Mayor's Report re: communication from Superintendent of Schools regarding two Statements of Interest to the MSBA for East Gloucester Elementary School & Beeman Memorial Elementary School (Refer B&F)
 - **COMMUNICATIONS/INVITATIONS**
 1. Response to Oral Communications of February 9, 2016 City Council meeting to Ross Burton (Info Only)
 2. Invitation to the American Legion Easter Holiday Meal (Info Only)
 - **APPLICATIONS/PETITIONS**
 1. Special Events Application: Request to hold Farmer's Market from June 2 through October 13, 2016 at Stage Fort Park (Refer P&D)
 2. Special Events Application: Request to hold St. Peter's Fiesta from June 22 to June 26, 2016 (Refer P&D)
 3. Special Events Application: Request to hold the St. Peter's Fiesta 5K Road Race on June 23, 2016 (Refer P&D)
 4. Special Events Application: Request to hold the Gloucester Block Parties July 16, August 20 & September 2, 2016 (Refer P&D)
 5. PP2016-004: Petition of National Grid for installation of underground conduit re: Wall Street (Refer P&D)
 - **COUNCILORS ORDERS**
 1. CC2016-010 (Cox) Amend GCO Sec. 22-267 "One Way Streets-Generally" re: Derby Court (Refer O&A & TC)
 2. CC2016-011 (Ciolino) Election of City Clerk pursuant to the City of Gloucester City Charter Sec. 2-7(a) (Refer O&A)
 3. CC2016-012 (Ciolino) Election of City Auditor pursuant to the City of Gloucester City Charter Sec. 2-7(a) (Refer B&F)
 4. CC2016-013 (O'Hara) Request O&A Standing Committee consider whether Chapter 22, Sec. 22-284(n) "Service or Loading Zones" should be amended to allow additional overnight parking from 7:00 p.m. until 6:00 a.m. (Refer O&A & TC)
 5. CC2016-014 (Lundberg/Cox/Gilman/Nolan) Request P&D Committee review the draft proposed ordinance which creates a new wireless communications facilities ordinance Section 5.13 and amend the GZO accordingly (Refer PB & P&D)
 - **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
 1. City Council Meeting: February 23, 2016 (Approve/File)
 2. Standing Committee Meetings: B&F 03/03/16 (under separate cover), O&A 02/29/16, P&D 03/12/16 (under separate cover) (Approve/File)

Items to be added/deleted from the Consent Agenda:

Councilor Cox asked to remove Item #5 under Council Orders, CC2016-014 (Lundberg/Cox/Gilman/Nolan) Request P&D Committee review the draft proposed ordinance which creates a new wireless communications facilities ordinance Section 5.13 and amend the GZO accordingly.

She said that given that notice to all abutters in the city in this situation is impracticable she moved that the notice to abutters be waived under GZO Sec. 1.11.4(b) and to set the public hearing date as April 26, 2016 and to then refer the matter to P&D and the Planning Board.

Councilor Orlando clarified that the notice is being waived because the entire city is affected by this potential amendment.

MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Lundberg) absent, to waive the notice to abutters under GZO Sec. 1.11.4(b) because it is impracticable and pursuant to CC2016-014 that the P&D Committee review the draft proposed ordinance which creates a new wireless communications facilities ordinance Section 5.13 and amend the GZO accordingly; to set the public hearing date for that matter as April 26, 2016, and to refer the matter to the Planning & Development Committee and the Planning Board.

By unanimous consent the Consent Agenda was accepted as amended.

Committee Reports:

Budget & Finance: March 3, 2016

1. Special Budgetary Transfer Requests from the Police Department – 2016-SBT-10

COMMITTEE RECOMMENDATION: On a motion by Councilor Orlando, seconded by Councilor Ciolino, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City

Council approve Special Budgetary Transfer 2016-SBT-10 in the amount of \$4,914 from Account #101000.10.211.51100.0000.00.000.00.051, Police-Uniform, Salary/Wage Permanent Position to Account #101000.10.292.51100.0000.00.000.00.051 Animal Control, Salary/Wage-Permanent Position, for the purpose of making funds available to pay grievances from prior fiscal years for two Animal Control Officers.

DISCUSSION:

Councilor Memhard summarized that this transfer is to fund a previously approved settlement of grievances for the two Animal Control officers.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Lundberg) absent, to approve Special Budgetary Transfer 2016-SBT-10 in the amount of \$4,914 from Account #101000.10.211.51100.0000.00.000.00.051, Police-Uniform, Salary/Wage Permanent Position to Account #101000.10.292.51100.0000.00.000.00.051 Animal Control, Salary/Wage-Permanent Position, for the purpose of making funds available to pay grievances from prior fiscal years for two Animal Control Officers.

2. Memorandum from Director of Public Works & Supplemental Appropriation-Budgetary Transfer Request 2016-SA-22 re: Entry Security at Gloucester High School & O'Maley Innovation Middle School

COMMITTEE RECOMMENDATION: On a motion by Councilor Orlando, seconded by Councilor Ciolino, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2016-SA-22 in the amount of \$161,000 from Account #850000.10.991.59600.0000.00.000.00.059 Capital Projects Stabilization Fund to Account #850007.10.472.58425.0000.00.000.00.058 Capital Projects Stabilization – GHS and O'Maley School Facility Entry Doors - Building Improvements for the purpose of the purchase and installation of entry doors and access control systems at Gloucester High School and the O'Maley Innovation Middle School.

DISCUSSION:

Councilor Memhard explained that is transfer is being requested for the purpose of installing new security doors at Gloucester High School and O'Maley Innovation Middle School that would match the same equipment that is being installed at the new West Parish Elementary School. The School Department's Information Technology Department will be able to control who has access to the schools at certain times. He said that employees' pass cards will record their employee ID numbers when they enter. He stated that none of the doors at any of the schools are supposed to be propped open and that the Superintendent has spoken to the building principals about this matter. He noted that the funding is coming out of the Capital Projects Stabilization Fund which avoids the city needing to borrow the money for this project.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Lundberg) absent, to approve Supplemental Appropriation 2016-SA-22 in the amount of \$161,000 from Account #850000.10.991.59600.0000.00.000.00.059 Capital Projects Stabilization Fund to Account #850007.10.472.58425.0000.00.000.00.058 Capital Projects Stabilization – GHS and O'Maley School Facility Entry Doors - Building Improvements for the purpose of the purchase and installation of entry doors and access control systems at Gloucester High School and the O'Maley Innovation Middle School.

3. Grant Application & Checklist from Community Development Department/Shellfish re: FY16 Great Marsh Green Crab Trapping Program grant in the amount of \$15,000 from Mass. Division of Marine Fisheries

COMMITTEE RECOMMENDATION: On a motion by Councilor Orlando, seconded by Councilor Ciolino, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A, from the Massachusetts Division of Marine Fisheries, a FY2016 Great Marsh Green Crab Trapping Program Grant in the amount of \$15,000 for the purpose of funding a program to legally collect, remove and dispose of European Green Crabs from coastal marine and estuarine waters within the City's jurisdiction.

DISCUSSION:

Councilor Memhard advised that green crabs are an invasive species that cause a lot of problems such as eating over 200 baby clams per day. He said that with this grant up to \$10,000 would be spent for a harvester. He explained that the green crab harvesting won't be a hazard to navigation. If the green crabs are unable to be sold for food products or bait, they must be disposed of in a documented manner to ensure that they don't go back into the waters of the Great Marsh. He said that the Division of Marine Fisheries requires that the city has a contract with a licensed disposal facility, and to that end up to \$3,500 of the grant would be paid to a compost facility to dispose of the green crabs, and the remaining \$1,500 would be for the grant's administrative costs.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 8 in favor, 0 opposed, 1 (Lundberg) absent, to accept under MGL c. 44, §53A, from the Massachusetts Division of Marine Fisheries, a FY2016 Great Marsh Green Crab Trapping Program Grant in the amount of \$15,000 for the purpose of funding a program to legally collect, remove and dispose of European Green Crabs from coastal marine and estuarine waters within the City's jurisdiction.

4. Memorandum from Chief Administrative Officer re: City Council acceptance of grant from EDIC in the amount of \$10,000 to support the city's participation in the Seafood Expo North America

COMMITTEE RECOMMENDATION: On a motion by Councilor Orlando, seconded by Councilor Ciolino, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A, from the Gloucester Economic Development & Industrial Corporation a private grant of \$10,000 for the purpose of supporting the City of Gloucester's participation in the Seafood Expo North America to be held in Boston, Mass. from March 6 through March 8, 2016.

DISCUSSION:

Councilor Memhard said that the EDIC has put forward a grant for \$10,000 to support the city's larger booth this year's Seafood Expo North America which concluded today, which allowed Gloucester companies to conduct meetings at the booth. He noted that two buses of international seafood executives from all over the U.S. and 12 different countries were invited yesterday to the Gloucester House for a seafood repast and to tour the city. He advised that the return of the Mayor and Angela Sanfilippo of the Gloucester Fishermen's Wives Association to the Seafood Expo making their famous redfish chowder was again a hit.

Council President Ciolino congratulated the Administration for the spirit of cooperation in the community, for organizations who put the city's seafood booth together. He said the booth was very well staffed and that the city's exhibition was first class. The field trip for representatives from the international fishing community to Gloucester was outstanding. He also mentioned the announcement of the 99 Restaurant chain that is instituting a new program to use Gloucester fresh seafood, namely haddock, on their menus. He mentioned the outstanding work of Sal DiStefano, Economic Development Director for the city. He said the city's Seafood Expo display was a very impressive and the redfish stew was a huge hit.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 8 in favor, 0 opposed, 1 (Lundberg) absent, to accept under MGL c. 44, §53A, from the Gloucester Economic Development & Industrial Corporation a private grant of \$10,000 for the purpose of supporting the City of Gloucester's participation in the Seafood Expo North America to be held in Boston, Mass. from March 6 through March 8, 2016.

Ordinances & Administration: February 29, 2016

- Withdrawal of reappointments due to resignations:

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the resignation of Alan DeLorenzo from the Downtown Development Commission.

Planting Committee**Susan Kelly******TTE 02/14/19**

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the resignation of Susan Kelly from the Planting Committee.

Trust Fund Commission**Michael Sanborn** & John Fleming******TTE 02/14/19**

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the resignation of Michael Sanborn from the Trust Fund Commission.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the resignation of John Fleming from the Trust Fund Commission.

DISCUSSION: None.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 8 in favor, opposed, 1 (Lundberg) absent, to accept the resignation of:

- 1. Alan DeLorenzo from the Downtown Development Commission;**
- 2. Susan Kelly from the Planting Committee;**
- 3. Michael Sanborn and John Fleming from the Trust Fund Commission.**

- Withdrawal of Council Orders:

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit the withdrawal of CC2016-004 (Gilman) Amend GCO Sec. 22-270 "Parking prohibited at all times" at intersection of South Kilby Street and Brierwood Street to erect a "No Parking" sign at #5 South Kilby Street without prejudice.

DISCUSSION:

Councilor Gilman advised that they worked quickly to take the recommendations of the Traffic Commission and said that she submitted instead a Request to the Mayor for appropriate signage to be posted and that the Council Order was then unnecessary.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Cox, the City Council voted 8 in favor, 0 opposed, 1 (Lundberg) absent, to permit the withdrawal of CC2016-004 (Gilman), Amend GCO Sec. 22-270 "Parking prohibited at all times" at intersection of South Kilby Street and Brierwood Street to erect a "No Parking" sign at #5 South Kilby Street, without prejudice.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit the withdrawal of CC2016-006, Request O&A review the ordinance governing removal of snow & ice from sidewalks, Sec. 21-20 to determine if it is an enforceable ordinance or whether it should be amended, without prejudice.

DISCUSSION: None.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Cox, the City Council voted by 8 in favor, 0 opposed, 1 (Lundberg) absent, to permit the withdrawal of CC2016-006, Request O&A review the

ordinance governing removal of snow & ice from sidewalks, Sec. 21-20 to determine if it is an enforceable ordinance or whether it should be amended, without prejudice.

Planning & Development: March 2, 2016

Councilor Cox, P&D Committee's Vice Chair, reported there were no matters for Council action from this meeting.

Scheduled Public Hearings:

1. **PH2015-061: Acceptance of roadways as public ways in accordance with MGL Chapter 85 and GCO Sec. 21-1, 21-35 and Sec. 21-43**

This public hearing is opened at 8:31 p.m.

Council President Ciolino announced this matter at the request of the Administration is continued to May 10. **This public hearing is continued to May 10, 2016.**

For Council Vote:

1. **Resolution to Express the City of Gloucester's Opposition to Offshore Drilling in the Atlantic**

Councilor Ciolino called for the Council to move to adopt a Resolution to express Council support to the U.S. Bureau of Ocean Energy Management for a ban to open the Atlantic Ocean to exploration and development of off-shore oil and gas.

The motion was made by **Councilor Cox**, and seconded by **Councilor LeBlanc**.

Councilor Orlando asked this matter be referred to the O&A Committee to develop better language and vet the matter more closely. **Councilor Cox** seconded the motion to refer the matter which was voted by the Council unanimously.

Council President Ciolino appointed Councilor Memhard and Councilor Orlando to work with General Counsel, Chip Payson to look over the Resolution language and to report their recommendation to the O&A Committee.

This matter is referred to the O&A Committee and is continued to March 22, 2016.

Unfinished Business: None.

Individual Councilor's Discussion including Reports by Appointed Councilors to Committees: None.

Councilors' Requests to the Mayor:

Councilor Memhard said the city's presence at the Seafood Expo was terrific.

Councilor Nolan expressed his thanks to the EDIC for working with the Administration for their support and assistance with the city's presence at the Boston Seafood Expo.

Councilor Cox announced the following:

- Relay for Life has a big event on May 21 at the Mile Marker Restaurant;
- Pride Stride is Sunday, April 24.

Councilor LeBlanc said he echoed his fellow Councilors' remarks on the city's presence at the Seafood Expo and on the 99 Restaurant chain's announcement to use Gloucester fresh seafood on their menus

A motion was made, seconded and voted unanimously to adjourn the meeting at 8:37 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.

BUDGET & FINANCE MEETING MINUTES

03/17/16

(UNDER SEPARATE COVER)

MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Mary John Boylan to the Affordable Housing Trust, TTE 02/14/19.

City Hall Restoration Commission Stephen Pardee (TBC 05/02/16)

TTE 02/14/19

Clean Energy Commission Linda Stout-Saunders (Cont'd from 2/29/16)

TTE 02/14/18

Ms. Saunders expressed her desire to continue to serve on the Clean Energy Commission saying she is enthusiastic about the projects the Commission is planning for in the coming year and that the work reflects her own background in business for the last 30 years. She said the Commission's focus is now on municipal buildings but also looking outward to what is good for the community and that they are available in an advisory capacity. She noted they work with Mass. Clean Energy.

Councilor O'Hara discussed the city's overall progress towards more solar energy with **Ms. Stout-Saunders** who said that the residential sector is going well but that there are issues with the commercial sector which is not progressing much in anticipation of pending state legislation. She described several solar programs available for residents and described some of the federal and state credits available to homeowners. **Councilor LeBlanc** suggested the Clean Energy Commission work with the Administration on educating the community on solar panel leasing versus owning. **Ms. Stout-Saunders** briefly described the process to the Committee.

MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Linda Stout-Saunders to the Clean Energy Commission, TTE 02/14/18.

Conservation Commission Ann-Jo Jackson (Cont'd from 2/29/16)

TTE 02/14/19

Ms. Jackson said that she wishes to continue to serve not only on the Conservation Commission (ConCom) but also on the Shellfish Advisory Commission. She said she finds both roles rewarding and one role helps the other with her knowledge base. She said she was raised to give back to the community and shellfish and environmental issues have always been a great interest for her which coincides with her background. She said that both of the Commissions do good work.

Councilor LeBlanc advised Ms. Jackson that many people come before ConCom who need their hands held through the process as it can be very daunting. **Ms. Jackson** said the ConCom agent and assistant are wonderfully helpful to the applicants and that ConCom is very sensitive to this issue. **Councilor O'Hara** added his agreement to Councilor LeBlanc's statement. **Ms. Jackson** said that ConCom has many difficult issues that come before it and that the group works very well together to look to have positive outcomes.

MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Ann-Joe Jackson to the Conservation Commission, TTE 02/14/19.

Planning Board

Joseph Orlando, Sr.

TTE 02/14/21

Mr. Orlando said that after being on the Planning Board for five years that it was his view the Board is improving. He said he volunteered for the Planning Board because he felt that the city is far too difficult for those trying to develop properties, and that there shouldn't be obstructions to development as long as it is sensible and conforms to the law. Things are improving, he said. He added that the Board is dealing with issues of people trying to build on the ocean and said he found that to be fascinating. He added that it is very important to listen to both sides, and that it was always a learning experience. He encouraged more people to step forward to volunteer on behalf of the city.

Councilor LeBlanc said it is good to know there is someone like Mr. Orlando was on the Board who has an open mind and is there to assist residents who come before the Board. **Councilors Nolan** and **O'Hara** thanked Mr. Orlando for his service.

MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Joseph Orlando, Sr. to the Planning Board, TTE 02/14/21.

Shellfish Advisory Commission

Ann-Jo Jackson-ConCom Rep (Cont'd from 2/29/16) TTE 02/14/19

MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Ann-Joe Jackson to the Shellfish Advisory Commission, TTE 02/14/19.

2. *CC2016-002 (Cox) City Council requests the Traffic Commission to conduct a study of tractor trailer parking on Rogers Street (Cont'd from 02/01/16) TBC 05/16/16*

This matter is continued to May 16, 2016.

3. *CC2016-010 (Cox) Amend GCO Sec. 22-267 "One Way Streets-Generally" re: Derby Court (TBC 04/04/16)*

This matter is continued to April 4, 2016.

4. *CC2016-011 (Ciolino) Election of City Clerk pursuant to City Charter Sec. 2-7(a)*

Councilor LeBlanc said that this matter will be continued to April 4.

This matter is continued to April 4, 2016.

5. *CC2016-013 (O'Hara) Request O&A Committee to consider whether GCO Sec. 22-284(b) "Service or Loading Zones" should be amended to allow additional overnight parking from 7:00 p.m. until 6:00 a.m. (TBC 04/04/16)*

6. *Resolution to Express the City of Gloucester's Opposition to Offshore Drilling in the Atlantic: To review recommendations of Councilors Memhard & Orlando & General Counsel, Chip Payson*

Councilor LeBlanc said that on the advice of General Counsel through an email that this matter is continued to April 4, 2016.

This matter is continued to April 4, 2016.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:37 p.m.

Respectfully submitted,

Dana C. Jorgensson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.

Planning & Development Committee
March 16, 2016 – 5:30 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Lundberg; Vice Chair, Councilor Melissa Cox; Councilor Valerie Gilman
Absent: None.

Also Present: Councilor Nolan (entered the meeting at 5:38 p.m.); Linda T. Lowe

The meeting was called to order at 5:30 p.m.

1. Advertised Public Hearings:

- A) PP2016-004: Petition by National Grid & Verizon New England: To install a 3” underground service conduit +/- 25’ from Pole #2581 to Wall Street #11**

This public hearing is opened at 5:30 p.m.

Those speaking in favor:

Peter Glynn, National Grid (NG) representative said that National Grid and Verizon New England are requesting to install about 25 feet of 3 inch underground conduit from Pole #2581 located across the street from 11 Wall Street and run it to that property. He showed the Committee a photograph of the location (placed on file) and said that given the road being so narrow, erecting a new pole was not an option and that National Grid would only add conduit from an existing pole on the street. This is for a new residential construction, he advised.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 5:32 p.m.

MOTION: On a motion by Councilor Cox, seconded by Councilor Gilman, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit National Grid and Verizon New England to install 25 feet +/- of underground service conduit from Pole #2581 including the necessary sustaining and protecting fixtures as shown on Plan #20439742, dated 01/27/2016, with the following conditions:

- 1.) Notification to the Department of Public Works 72 hours in advance of the proposed work. A construction schedule will be prepared by the applicant for review and acceptance by the Department of Public Works;**
 - 2.) Proposed excavation may only occur during accepted road opening and construction season, 15 March – 15 November. No winter construction shall be permitted.**
 - 3.) In the absence of a detailed construction plan, the Department of Public Works requests: all proposed conduits and appurtenances shall be placed so as to cause minimum conflict with existing underground utility services.**
 - 4.) All excavated trenches shall be patched flush with the surrounding asphalt using hot mix asphalt binder at the end of each work day, to minimize pedestrian hazards. Asphalt shall be applied in two lifts of 2-inches, totaling 4- inches.**
 - 5.) All final paving shall be done in consultation with the Department of Public works and an agreed upon final paving plan executed by the applicant.**
- B) PP2016-001: Petition by National Grid & Verizon New England: To install new switchgear manhole & new switchgear (6’x6’) with about 60 ft. of conduit between switchgear & existing manhole in front pad 7 at Harbor Loop**

This public hearing was reconvened at 5:33 p.m. having been continued from 03/02/16.

Those speaking in favor:

Mr. Glynn, National Grid (NG) representative said that since the Committee last met he spoke to the Committee, he and the designer met at the proposed switchgear location. The design is to some degree in front of the Coast Guard property. He reported that the designer said there is enough room for the installation – at that time

they spoke to a representative of Station Gloucester Coast Guard Station, but Command hasn't gotten back to National Grid yet with their comments. He asked that this matter be continued for four weeks to give National Grid time on the matter.

This public hearing is continued to May 4, 2016.

- C) PP2016-003: Petition by National Grid & Verizon New England: To install new switchgear manhole and new switchgear (6'x6') & about 30 feet of conduit between switchgear & existing manhole #54 on Pleasant Street**

This public hearing was recessed 6:11 p.m. on 3/2/16 and reopened at 5:36 p.m.

Those speaking in favor:

Councilor Cox reviewed that at the March 2 public hearing she and Councilor Gilman had asked National Grid to find another location for their switchgear as the installation would cause a mature tree and plantings to be removed from city property in the downtown. **Mr. Glynn** advised that he, the designer and supervisor made a site visit after the last meeting of the P&D Committee and upon review determined that National Grid can keep the switchgear under one parking space in the parking lot located at Middle, Pleasant and Warren Streets. To access the installation they would install a "trapdoor" that vehicles could drive over. He said that in an emergency whatever car is parked there at the time would have to be moved for access purposes. **Councilor Cox** said that it would be possible to locate the vehicle owner with the assistance of the Gloucester Police Department, and failing that she and **Mr. Glynn** agreed in an emergency a car would have to be towed. It was suggested that should this option be accepted that appropriate signage could be posted for that utilized parking space.

Councilor Cox asked this matter be continued to give National Grid time to produce amended plans. (Councilor Nolan entered the meeting at 5:38 p.m.) **Councilor Gilman** expressed that she was pleased that National Grid was heeding the recommendation of the Committee helping the city keep a downtown green space from being lost and was encouraged by the suggested alternative.

This public hearing is continued to May 4, 2016.

2. Special Events Applications:

- A) St. Peter's Fiesta – June 22 – 26, 2016

Joseph Novello, Chair of the St. Peter's Fiesta Committee said that all plans for the Fiesta 2016, its 89th year, are the same as last year.

Councilor Lundberg asked about the hotel on Commercial Street and its impact. **Mr. Novello** said that was his understanding that it is questionable whether the new Beauport Hotel will be open by June 22. He indicated that if construction was still underway, the hotel would cease that activity if necessary. **Councilor Cox** suggested having more police presence on the fence line at the hotel property on the beach side as a result of issues related to that area the previous year.

Linda T. Lowe, City Clerk, advised the Fiesta Committee had been before the Special Events Advisory Committee (SEAC) and said that all aspects of Fiesta 2016 were vetted by city department heads or their designees, and that the event received all the necessary departmental sign-offs.

Councilor Gilman expressed her appreciation that the city department heads have already reviewed the event through the SEAC.

MOTION: On motion by Councilor Gilman, seconded by Councilor Cox, the Planning & Development Committee voted 3 in favor, 0 opposed, to allow the 2016 annual St. Peter's Fiesta, commencing on Wednesday evening, June 22, 2016 through Sunday, June 26, 2016, the use and control of St. Peter's Park on Rogers Street; the streets and sidewalks of Rogers Street from Mansfield Way to the entrance of Commercial Street; Commercial Street up to Fort Square; and from the intersection of Main and Washington Streets to St. Peter's Park; and on Friday, June 24th, Saturday, June 25th and Sunday, June 26th on only the water side of Stacy Boulevard from "The Tavern" to the Fishermen's Memorial (to the extent allowable by law) and the Ciaramitaro/Gemellaro Playground at Fort Square for the purpose of conducting the St. Peter's Fiesta on the days and dates mentioned herein. Further, vendors are not allowed on the southwesterly side of Commercial Street nor on the streets and sidewalks from Tally's to the Chamber of Commerce (33 Commercial Street). In addition, all hawkers, peddlers, or vendors, who conduct their business on June 24th through June 26th in

these areas, must have the express consent of the St. Peter's Fiesta Committee; and with the following conditions:

1. That the kiddie rides (those restricted to children of a height of 42 inches or under) be kept at the St. Peter's Square Park;
2. That the footprint of the Fiesta be drawn on a plan showing locations of, but not limited to, comfort stations and first aid stations to be placed on file with the City Clerk by May 20, 2016;
3. That the music and the rides closest to the altar area be shut down at the opening and closing ceremonies;
4. That the St. Peter's Fiesta Committee has permission to use the area of St. Peter's Commercial Marina, a city-owned property, behind the Cape Ann Brewery (11 Rogers Street), for the purpose of a Fisheries Exhibit in conjunction with local fishermen and the New England Fisheries Coalition.
5. And that the Fiesta Committee and Fiesta Shows, Inc., comply with all regulations of the Licensing Commission including that they appear before the opening of the 2016 Fiesta to obtain carnival ride permits.

B) Cape Ann YMCA Fiesta 5K Road Race – June 23, 2016

Barbara Berry, Race Director for the YMCA, said that there are no changes from last year's successful Fiesta 5K. She reviewed briefly some of the plans (on file) such as starting the race at Stage Fort Park. She mentioned that the Blynman Bridge will be closed from 6:15 p.m. until 7:45 p.m. She noted one small route change to make it easier for runners to maneuver the course by keeping them in separate lanes as one section of runners goes up a street and another section of runners comes down it depending on where they are on the race course. The finish is still at St. Peter's Square, she said. **Councilor Gilman** discussed the particulars of runners running against traffic on East Main Street at Wall Street with police details directing traffic. **Councilor Cox** and **Ms. Berry** briefly reviewed the overall race course.

MOTION: On a motion by Councilor Cox, seconded by Councilor Gilman, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit the Cape Ann YMCA on June 23, 2016 to hold the St. Peter's Fiesta 5K Road Race with the following conditions:

1. **Certificate of Insurance:**
A Certificate of Insurance naming the City as an additional insured party is on file with the City Clerk's Office.
2. **Road Closure Plans:**
Applicant must have Police/Fire Department approval of any road closure/traffic plans 30 days before event, including any police details. Applicant and its staff must comply with specific directives of the Police Chief for managing runner traffic. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. A route map must be provided to the City Council. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.
3. **Refuse and Comfort Stations:**
All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early on the day of the event and removed by 11 p.m. the day of the event.
4. **Emergency Services** are as determined by City EMS Director.
5. **Staffing:**
Event staff is to have cell phones and to wear distinct shirts. A list of event staff and cell phone numbers to be submitted to Police, Fire and DPW Departments.
6. **Responsibility of the Cape Ann YMCA:**
The applicant is also required to obtain any necessary approvals from the Licensing Board, the Public Health Department and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.

C) Gloucester Block Parties: July 16, August 20 and September 2, 2016

Kerry McKenna, representing the Cape Ann Chamber of Commerce, the new Event Director for this year's Gloucester Block Parties, explained that the Block Parties have been before the SEAC. The hours each event are 6 p.m. to 10 p.m. this year, she noted. She said that the Chamber's Block Party Committee is open to suggestions because they want to see all three events be successful.

Councilor Cox noted that the plans for the 2016 Block Parties are the same as previous years. She asked that the music be appropriate for the anticipated crowd. She also mentioned about notices being placed on cars on Main Street well in advance of the evening of the events so that the cars are removed by the time of the Block Party starts. She offered her assistance to Ms. McKenna for any aspect of the Block Parties.

Councilor Gilman confirmed with **Ms. Lowe** that the Block Party event series had been vetted before the SEAC and had all the appropriate city departmental sign-offs was in place.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Cox, the Planning and Development Committee voted 3 in favor, 0 opposed, to approve a Special Events Permit to the Cape Ann Chamber of Commerce to hold the Downtown Block Party Series on Saturday, July 16, 2016; Saturday, August 20, 2016; and Friday, September 2, 2016 in order to temporarily close Main Street from the open driveway of Bank Gloucester to Washington Street for each date for three separate occasions between the hours of 5:00 p.m. and 11 p.m. with the following conditions:

1. No vendor/merchant set ups on the sidewalk blocking entrance ways to retail or residential units, hydrants, crosswalks, or handicap ramps.
2. All vendor set ups in the street are to allow for no less than a 10 foot unobstructed, drivable area along the entire route - slightly wider at the curve of the former Palazola's Sporting Goods at 85 Main Street - to maintain adequate access for emergency vehicles. Failure to provide a 10 foot unobstructed margin of drivable area may necessitate the removal or relocation of the vendor/merchant at the discretion of the Fire Department, the Police Department, or the Block Party Committee.
3. The organizers shall allow the Fire Department drive-through access with the fire engine at the convenience of the Fire Department.
4. Any restaurant/merchant set up of tables and chairs, tents, or area enclosures should extend into the street no further than the lines painted on the street for vehicular parking.
5. That all of the side streets – Short, Porter, Center, and Hancock Streets – shall not be blocked by vendors, food establishments, tables, chairs, enclosures, equipment, or vehicles, so emergency vehicles may enter and exit Main Street as needed.
6. Vendor/merchants shall be responsible for their own trash removal.
7. Signs indicating the location of comfort stations shall be the responsibility of the Block Party Committee.
8. Plumbing Codes and regulations shall be adhered to regarding use of restaurant bathroom facilities.
9. Special lighting and electrical requirements necessitate approval of the Inspector of Buildings and the Electrical Inspector.
10. The closure of the street at the intersection of Main and Short, Porter, Center, and Hancock Streets must be by means of sawhorses or the like, as directed by the Gloucester Police Department.
11. It is the responsibility of the Block Party Committee to procure any other necessary Federal, State, and local permits and approvals associated with this event.
12. That the Committee makes reasonable notification to all residents and merchants along the route that will be affected by the closure.
13. Restaurants or vendors wishing to serve food outside must notify the Board of Health 7 (seven) days in advance for approval and must obtain any necessary approval of the Block Party Committee.
14. Conditions or permitting requirements imposed by the Gloucester Licensing Board shall also apply and shall become incorporated herein as to the outdoor/sidewalk service of food and alcohol.
15. All other applicable laws, City ordinances, and/or regulations are in full force including Ordinances regarding blocking of sidewalks. The Police Department will enforce these requirements in the interest of public safety.
16. The Block Party Committee shall also adhere to any requirements expressed by the Special Event Advisory Committee including that:

(a) Written permission is to be obtained from the Assistant Public Works Director to close the public parking lot behind the Rogers Street entrance to the Dog Bar Restaurant for any performances, and (b) That a letter from the office of the Mayor be provided assuring that the event is covered by the City of Gloucester Insurance, and (c) this approval is based on the Gloucester Block Party 2016 Street Plan submitted to the Council to be filed with the Certificate of Vote.

C) Cape Ann Farmer's Market 2016 Season – Stage Fort Park

Nicole Bogin, Manager of the Cape Ann Farmer's Market (CAFM), said that they are requesting to run as they have previously from June 2 through October 13, 2016, Thursdays 3:00 p.m. to 6:30 p.m. She advised set up starts at 1:00 p.m. and breakdown is usually completed by 7:30 p.m. on market days. The 2016 Farmer's Markets have been before the SEAC, she noted.

Both **Councilors Gilman** and **Lundberg** voiced their agreement that the CAFM has the process worked out from previous years and that the organization does a great job.

Councilor Cox asked whether the Stage Fort parking lot is free parking while the Farmer's Markets were underway. **Ms. Lowe** said it is free parking during the events. **Councilor Cox** pointed out that vendors start setting up as early as 1:00 p.m. and the event doesn't start until 3:00 p.m. **Ms. Lowe** and **Ms. Bogin** confirmed that Farmer's Market vendors don't pay to park their vehicles in the lot and have placards to display on their vehicle dashboard. **Councilor Lundberg** said he agreed that vendors shouldn't have to pay any parking fee.

Councilor Lundberg said he understood that there was an agreement that vendors not park on the grassy spaces of the park. **Ms. Bogin** said that in an agreement they made with the Mayor's office that any vendor that needed to could park on the grass, and all other vendors could drive upon the grassy areas to unload and load. She said that having met with the Stage Fort Park Advisory Committee several weeks ago, it seems that the unloading and loading will cause more traffic across the park's grassy areas but that this matter has come forward again. She said that the CAFM would abide by whatever the Planning & Development Committee advises.

David Dow, Chair of the Stage Fort Park Advisory Committee (SFPAC) said that by way of his information, the Administration had advised the CAFM that they could park in the grass around the Gentile bandstand but it was limited to vehicles with refrigeration, and that all other people would park in the parking lot across the street. **Ms. Bogin** said in their meeting with the Mayor the CAFM was clear that they would send a list of vendors to the Mayor. She said it is more than refrigeration because some of the vending farmers need their trucks at hand to replenish their wares, and prepared food vendors need their vehicles at hand which are about 22 vendors with fresh food. By not allowing the vendors to park adjacent to where they are selling their products, she said, it causes more trips across the lawn to pull up, unload, drive to park their vehicles, and then return with their vehicles to pack up and then drive their vehicles back off the grass onto the roadway. She advised that the plan for the parking of the vendors' vehicles was also vetted by the Health Inspector and said that it is impossible for their vendors to continually walk back and forth for restocking fresh wares to the parking lot across the street.

Councilor Cox expressed concern that the Mayor was making agreements, but that it is the Council's purview to permit events. **Councilor Lundberg** said he agreed but that there are some logistical questions that will have to be handled, "on the ground" by city management. He said the Committee can permit the event with its conditions in place and that the Public Works Department will work out these kinds of details. **Councilor Cox** suggested there was a conflict between what the SFPAC is recommending and what the CAFM wants to do. **Mr. Dow** said it was his understanding that this was supposed to be the last year that the CAFM was going to locate vendors at the bandstand and that this year there would be refrigerated units only parked there. He added that the park needs to be respected. **Ms. Bogin** reiterated that it was either two trips for a vendor or one and confirmed that the CAFM was willing to do either option.

Councilor Lundberg recommended the Committee move to permit the 2016 Cape Ann Farmer's Market event, and that he would speak with the Administration to make clear what appears to be a conflict of vendor parking at the bandstand. He said he understood the number of trips back and forth for vendor vehicles as Ms. Bogin has described. **Councilor Cox** acknowledged Councilor Lundberg's recommendation, and **Mr. Dow** said he was fine with the Councilor's recommendation.

MOTION: On a motion by Councilor Cox, seconded by Councilor Gilman, the Planning and Development Committee voted 3 in favor, 0 opposed, that the Cape Ann Farmer's Market (CAFM) is permitted to hold a Farmer's Market as that term is defined in Chapter 11 of the Gloucester Code of Ordinances for the 2016 season from June 2, 2016 to October 13, 2016 with hours of operation from 3:00 p.m. to 6:30 p.m. at Stage Fort Park with the following guidelines and conditions:

1. There shall be approximately fifty (50) vendors, some of whom are exempt as “farmers” fish sellers or vineyards. The remaining vendors not exempt under these categories must be licensed seasonally from the Gloucester City Clerk’s office.
 2. The locations of 2016 CAFM vendors shall be as shown on the plan filed with the City Clerk with this Special Event Permit application.
 3. Trash removal shall be the responsibility of the CAFM.
 4. CAFM staff shall be identified by T-Shirts.
 5. All vendor stands or tents shall comply with all Gloucester Building Inspector, Electrical Inspector, and Health Department regulations and licensing.
 6. The CAFM shall provide a Certificate of Insurance naming the City of Gloucester as the Certificate Holder to the City Clerk prior to the start of the 2016 opening date for the four and a half (4½) months of the 2016 CAFM season.
 7. The CAFM shall comply with all directives of the City of Gloucester Police Department and any directives of the Gloucester Fire Department/EMS, and any directives of the Gloucester Licensing Board.
 8. It is the obligation of the CAFM to obtain any necessary state permits.
 9. CAFM is responsible for complying with all Gloucester Public Works Department regulations and any charges or costs required by the Public Works Department.
3. *Memorandum from General Counsel & Assistant General Counsel re: changes to GZO Sec. 5.27 et al entitled, “Medical Marijuana Treatment Centers and Medical Marijuana Cultivation Facilities”* (Also referred to the Planning Board) (TBC 04/06/16)
4. *CC201-014 (Lundberg/Cox/Gilman/Nolan) Request P&D Committee review the draft proposed ordinance which creates a new wireless communication facilities ordinance Section 5.13 and amend the Zoning Ordinance accordingly* (TBC 04/06/16)

Both P&D Agenda Item #3 and #4 were noted by the Committee to still be on the agenda of the Planning Board. Agenda Item #3 had been continued by the Board to their April 7 meeting and that the Board had only received the draft proposed Zoning Ordinance amendment to Section 5.13. It was suggested that both items would likely need to be continued out to the P&D Committee’s April 20 meeting pending a recommendation on both Agenda Item #3 and #4 from the Planning Board.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:10 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- Photograph of 11 Wall Street submitted by National Grid Representative related to PP2016-004



GLOUCESTER CITY COUNCIL 2016 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2016-008
SUBJECT: Amend GZO to correct a grammatical error and several critically important sections that were inadvertently omitted to Sec. 5.27 et al entitled "Medical Marijuana Treatment Centers and Medical Marijuana Cultivation Facilities"
DATE OPENED: 03/22/16
CONTINUED TO: 04/26/16
CONTINUED FROM: 02/23/16
COMMITTEE: P&D & PB

Legals

**CITY OF GLOUCESTER
NOTICE OF PUBLIC HEARING**
In accordance with the provisions of MGL Chapter 40A, Section 5, and the Gloucester Zoning Ordinance, Section 1.11, and Section 1.11.4(b), the Gloucester City Council will hold a public hearing on Tuesday, February 23, 2016 at 7:00 p.m. in the Fred J. Kyrouz Auditorium, City Hall, 9 Dale Avenue, to correct a grammatical error and several critically important sections that were inadvertently omitted to Sec. 5.27 et al entitled "Medical Marijuana Treatment Centers and Medical Marijuana Cultivation Facilities."
Copies of proposed amendments are available for viewing at the Community Development Office, 3 Pond Road, and at the City Clerk's Office, 9 Dale Avenue. At the public hearings, all interested persons will have the opportunity to be heard.
By Vote of the City Council
Linda T. Lowe, City Clerk
GT - 2/8, 2/16/16

**THIS PUBLIC HEARING WILL BE OPENED AND CONTINUED UNTIL THE
APRIL 26, 2016 CITY COUNCIL MEETING**



GLOUCESTER CITY COUNCIL 2016 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2016-009
SUBJECT: Amend GCO Chapter 22, Sec. 22-269 "Stop Intersections" by
ADDING stop signs at the intersection of Perkins & Mt. Vernon
Streets
DATE OPENED: 03/22/16
CONTINUED TO:
CONTINUED FROM:
COMMITTEE: O&A 02/29/16

PUBLIC HEARINGS 3/22/16
LEGAL NOTICE
NOTICE OF PUBLIC HEARINGS

The Gloucester City Council will hold public hearings on Tuesday, March 22, 2016 at 7:00 PM in the Kyrouz Auditorium, City Hall, relative to the following proposed amendments to the Gloucester Code of Ordinances as follows:

Amend GCO Chapter 22, Sec. 22-269 "Stop intersections" by ADDING stop signs at the intersection of Perkins & Mt. Vernon Streets.

Amend GCO Sec. 2-258 by DELETING the section in its entirety and ADDING the following sentence to Section 2-256(b) as a new subsection (7): "The Committee shall receive regular support and assistance from the department of public works."

Amend GCO by ADDING a new subsection entitled "Division 15(a), Sec. 2-258 Magnolia Pier Advisory Committee" as follows:

"Recognizing the Magnolia Pier's need for oversight in the city's ownership, operation, and maintenance so its recreational utilization can be realized, the Magnolia Pier Advisory Committee is hereby created. The Committee shall:

- (a) Review and recommend plans for proposed maintenance of or capital improvements to any of the facilities;
- (b) Consist of three members appointed by the Mayor, plus the director of public works or designee and the Ward 5 Councilor; initial appointments shall be one member for one year, one member for two years and one member for three years;
- (c) Successor appointments shall be for a term of three years;
- (d) The three appointed members shall represent the following interests: the neighborhood abutting the Magnolia Pier; a Magnolia resident at large; and a representative of the community at large.

At the public hearings, all interested persons will have the opportunity to be heard.

By Vote of the City Council
Linda T. Lowe, City Clerk

AD#13400983
CAB 3/11/16

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the resignation of John Fleming from the Trust Fund Commission.

Waterways Board

James Bordinaro (Fishing) Mark Lacey (Recreation)

TTE 02/14/19

Councilor LeBlanc said he is the Council liaison to the Board and that Mr. Bordinaro and Mr. Lacey do a great job and run subcommittees of the Board. They are excellent members, he said.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint James Bordinaro (Fishing) to the Waterways Board, TTE 02/14/19.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Mark Lacey to the Waterways Board (Recreation), TTE 02/14/19.

** Resigned prior to reappointment



2. CC2016- 001 (Cox) Amend GCO Sec. 22-269 "Stop Intersections" by adding stop signs at the intersection of Perkins & Mt. Vernon Streets (Cont'd from 02/01/16)

Councilor Cox noted that this Council Order came out of a request from a few neighbors. She said that at the Feb. 25 Traffic Commission meeting the Order was voted down based on the inability for a complete stop at Mt. Vernon and for the sharp turn going up Perkins Street. There have been a few close calls, she said, noting she travels the road daily. This matter was not recommended by the Traffic Commission upon further review at its Feb. 25 meeting, she said.

Francis Tarr, 59 Perkins Street, said that Perkins Street is not the best maintained area in the winter and is difficult to come up Perkins Street and stop which he described and was opposed to the stop signs being installed.

Councilor LeBlanc said that he knew there were people whom Councilor Cox represented who wanted the stop sign, but said he would not support this action to amend the ordinance.

Mr. Ryan, Chair of the Traffic Commission at the request of **Councilor Nolan** explained that the Commission did a site visit and that to do the stop and turn is about a 40 degree turn, and with icy conditions going down trying to stop is unsafe. The Commission didn't recommend the Order for safety reasons, he added.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 0 in favor, 3 opposed, to recommend that the City Council to Amend GCO Sec. 22-269 "Stop Intersections" by adding stop signs at the intersection of Perkins & Mt. Vernon Streets.

This matter will be advertised for public hearing.

3. CC2016-004 (Gilman) Amend GCO Sec. 22-270 "Parking prohibited at all times" at intersection of South Kilby Street and Brierwood Street to erect a "No Parking" sign at #5 South Kilby Street

Councilor Gilman asked that her Council Order should be withdrawn because this was simply a matter of proper signage being erected in the immediate affected area which was discussed with the Traffic Commission's Feb. 25 meeting. A Request to the Mayor was put in by her on Friday, Feb. 26 asking for the signage to be placed.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit the withdrawal of CC2016-004 (Gilman) Amend GCO Sec. 22-270 "Parking prohibited at all times" at intersection of South Kilby Street and Brierwood Street to erect a "No Parking" sign at #5 South Kilby Street without prejudice.

Councilor O'Hara thanked Ms. Papows for her years of service to the city. **Councilor LeBlanc** highlighted that Ms. Papows' good staff is a reflection of Ms. Papows leadership.

Mr. Destino invited all the Councilors to meet with Ms. Papows for a primer as she is the in-house expert on tax classification before that matter comes before the Council this coming fall.

Councilor Ciolino said that the Assessor's has a tough job and that Ms. Papows' department does a very good job with customer service. He said that everyone he has sent to her department for assistance always comments favorably as to the service they received.

MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Nancy Papows as Principal Assessor, TTE 02/14/19.

Mayor Theken thanked her staff for their continuing dedication to the city. She noted that now as Mayor versus working as a Councilor that these managers work hard and expressed her appreciation for having a strong team behind her. She encouraged people to thank their city staff who work hard for the entire community and its betterment. She encouraged the Councilors to get to know the staff, many of whom have worked for the city for years, not because it is a job because they love the city and what they do.

Councilor Lundberg said this is a high quality management team and the city is lucky to have them.

2. CC2015-044 (Verga, Cox) Amend GCO Sec. 9-12 re: Prohibition of plastic checkout bags (Cont'd from 12-07-15)

Councilor LeBlanc informed the Committee that he has been asked by Councilor Cox to have this matter continued to April 4. **Councilor Ciolino** said that he would appreciate that the managers of the three main food chain stores were invited to that Committee meeting. **Councilor LeBlanc** said the Committee is in the process of this review and that nothing will be done quickly to ensure that this ordinance amendment, should it be recommended, be done well.

This matter is to be continued to April 4, 2016.

3. CC2015-046 (McGeary) Amend GCO Sections 21-84 (c) (g) and Section 21-85 (b) to consider the recommendation of the Planning & Development Committee

The Clerk of Committees recounted for the Committee that the Planning & Development Committee had voted down the changes to GCO Sections 21-84 (c) (g) and Section 21-85 (b) and had recommended that the O&A Committee endorse the same. The P&D Committee wants to see this matter referred to General Counsel for review at City Council so that the ordinance sections pertaining to private ways repair and subsequent taking as city roadways can be holistically reviewed and then any changes offered to the Committee and Council or its consideration.

The Committee voiced its agreement with the P&D Committee's assessment of the Council Order.

This matter has been advertised for public hearing.

4. CC2016- 001 (Cox) Amend GCO Sec. 22-269 "Stop Intersections" by adding stop signs at the intersection of Perkins & Mt. Vernon Streets

Councilor LeBlanc advised that Councilor Cox has asked that the O&A Committee continue this matter to its February 29 meeting.

This matter is continued to February 29, 2016.

5. CC2016-002 (Cox) City Council requests the Traffic Commission to conduct a study of tractor trailer parking on Rogers Street



GLOUCESTER CITY COUNCIL 2016 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2016-010

SUBJECT: Amend GCO Sec. 2-258 by **DELETING** the section in its entirety and **ADDING** a sentence to Sec. 2-256(b) as a new subsection (7) and **ADDING** a new subsection entitled "Division 15(a), Sec. 2-258 Magnolia Pier Advisory Committee"

DATE OPENED: 03/22/16

CONTINUED TO:

CONTINUED FROM:

COMMITTEE:

O&A 02/29/16

**PUBLIC HEARINGS 3/22/16
LEGAL NOTICE
NOTICE OF PUBLIC HEARINGS**

The Gloucester City Council will hold public hearings on Tuesday, March 22, 2016 at 7:00 PM in the Kyrrouz Auditorium, City Hall, relative to the following proposed amendments to the Gloucester Code of Ordinances as follows:

Amend GCO Chapter 22, Sec. 22-269 "Stop Intersections" by **ADDING** stop signs at the intersection of Perkins & Mt. Vernon Streets.

Amend GCO Sec. 2-258 by **DELETING** the section in its entirety and **ADDING** the following sentence to Section 2-256(b) as a new subsection (7): "The Committee shall receive regular support and assistance from the department of public works."

Amend GCO by **ADDING** a new subsection entitled "Division 15(a), Sec. 2-258 Magnolia Pier Advisory Committee" as follows:

"Recognizing the Magnolia Pier's need for oversight in the city's ownership, operation, and maintenance so its recreational utilization can be realized, the Magnolia Pier Advisory Committee is hereby created. The Committee shall:

- (a) Review and recommend plans for proposed maintenance of or capital improvements to any of the facilities;
- (b) Consist of three members appointed by the Mayor, plus the director of public works or designee and the Ward 5 Councilor; initial appointments shall be one member for one year, one member for two years and one member for three years;
- (c) Successor appointments shall be for a term of three years;
- (d) The three appointed members shall represent the following interests: the neighborhood abutting the Magnolia Pier; a Magnolia resident at large; and a representative of the community at large.

At the public hearings, all interested persons will have the opportunity to be heard.

By Vote of the City Council
Linda T. Lowe, City Clerk

AD#13400983
CAB 3/11/16

Councilor O'Hara said that this is a similar issue as the one just discussed, and noted he's spoken to Mr. Destino about this matter. There are many private ways, some are plowed others are not, and that there are roads maintained by the city historically and there is a threat that people live with that a private road will no longer be plowed by the city, he said. He added that if a developer is cutting a new road, the developer owns that road for a five year period. **Mr. Destino** said it happens with many subdivisions. He noted that 60 percent of the city's roads are private. **Councilor O'Hara** said it should be all or nothing with plowing the city's roadways. **Mr. Destino** said subdivisions go before the Planning Board and the builders say that they will take care of plowing and then renege once the subdivision is built. The Committee, with Mr. Destino's input, touched on paving of private roads which was noted to be a much different and separate issue.

Councilor LeBlanc said he spoke with Mr. Hale that there is an ordinance which roads are plowed. **Councilor Ciolino** said there is a list of emergency roads that are published for snow removal, roads that lead to the hospital, emergency services, schools, etc. He said it wouldn't hurt to get a list of roads that are plowed and that aren't so that if there are questions the Councilors can refer to that list and that they can then inquire as to why they aren't plowed.

Councilor Nolan said there is a list and he has seen it which he would forward to the Council.

The Committee asked that the Clerk of Committees submit a Request to the Mayor through the DPW Director for the list of roads to be plowed in the city.

This matter is closed.

→ **8. CC2016-008 (O'Hara) Request O&A study the matter of whether there should be a "Magnolia Pier Advisory Committee & amend the GCO accordingly**

Councilor LeBlanc explained that he spoke with Tony Gross, Waterways Board Chair and he asked what are they trying to do if the goal was to raise money to rebuild and improve the pier or is this to be the creation of a new Committee because otherwise the matter should be directed to the Waterways Board.

Councilor Nolan, whom **Councilor O'Hara** acknowledged brought the issue forward originally, explained there were many issues regarding the Magnolia Pier. He and several other concerned residents met with Mr. Gross who had suggested that something could be done much much like what was done with the Lanesville Fish Shack Committee, find private funds and solutions to ultimately rebuild the Magnolia Pier. He said they need a committee to do that.

Councilor LeBlanc said with a committee formed with private citizens to raise funds that would be outside of the O&A Committee or the Waterways Board purview. **Mr. Destino** said there is no objection by the Administration for the formation of an advisory committee to the Waterways Board to make recommendations about the pier. It is a neighborhood committee that can put ideas together for creative solutions, he said.

Councilor Gilman said she's been to the Fish Shack meetings and that is a building committee that should be decommissioned. She said she'll recommend a motion to abolish the Fish Shack Building Committee. She explained that group now works through the Waterways Board for any matters related to budgets. It is something that falls under the purview of the city, she pointed out.

Councilor Ciolino said he agreed with Mr. Destino and pointed out that Stage Fort Park was in a similar situation. He said a pier committee can look for CPA funds and grants to work with the Waterways Board.

The Committee discussed whether there should be an advisory committee codified by ordinance or an ad hoc committee. It was the decision of the Committee to move forward with an advisory committee codified by ordinance.

MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 2-258 by DELETING the section in its entirety and ADDING the following sentence to Section 2-256(b) as a new subsection (7):

"The Committee shall receive regular support and assistance from the department of public works."

MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO by ADDING a new subsection entitled "Division 15(a), Sec. 2-258 Magnolia Pier Advisory Committee" as follows:

“Recognizing the Magnolia Pier’s need for oversight in the city’s ownership, operation, and maintenance so its recreational utilization can be realized, the Magnolia Pier Advisory Committee is hereby created. The Committee shall:

- (a) Review and recommend plans for proposed maintenance of or capital improvements to any of the facilities;**
- (b) Consist of three members appointed by the Mayor, plus the director of public works or designee and the Ward 5 Councilor; initial appointments shall be one member for one year, one member for two years and one member for three years;**
- (c) Successor appointments shall be for a term of three years;**
- (d) The three appointed members shall represent the following interests: the neighborhood abutting the Magnolia Pier; a Magnolia resident at large; and a representative of the community at large.**

This matter will be advertised for public hearing.

9. *CC2016-008 (O’Hara) Request O&A charge an Ad Hoc Committee to study possible solutions to alleviate the traffic problems caused by excess beach traffic & report recommendations to Council*

Councilor O’Hara said as visitors begin to return to the city, traffic issues will increase. He said he is looking forward for the long term to make improvements to keep emergency services access and traffic moving. Councilor LeBlanc mentioned a Request to the Mayor on this matter. **Mr. Destino** said they will put signage to direct traffic to Stage Fort Park when beaches are full, and to hire more reserve police officers. There are smaller things they’d like to do and try, as well as utilizing a shuttle this year and are examining logistics, he advised.

Councilor O’Hara said there have been ideas put forward to him to move traffic along. He said the big culprits are Wingersheek and Good Harbor beaches. They want people to come into the city, but they need to handle them a bit better. The Mayor and with Mr. Destino’s help have made improvements, he said. He said Mr. Russell and people like him are very frustrated.

Rob Russell, 40 Rockport Road, said he’s been at this family location for 63 years. He pointed out they can’t get out of their area on the weekends. The visitor who waits two and a half hours to get into the beach parking lot isn’t rushing out to spend money in the city. There is a hard opening at 8 a.m. and there is a line-up of cars. He said there should be a soft opening which would help alleviate the back-ups. He also suggested kiosks be installed at Good Harbor Beach to have traffic move. The system for paying for park is a cash system and doesn’t work, he pointed out and there is no way to use a credit card swipe system in place. He said there should be apps with reservations which could bring in more money to the city. He said it should be a better system and hasn’t had substantial changes made for improvements in some time. He urged a soft opening earlier though advertising 8 a.m. as the hard opening time. People who live near the beaches don’t spend money in the downtown and other areas of the city on the weekends because they can’t get there due to the traffic or have given up trying.

Councilor LeBlanc mentioned a connector road and pointed out that it isn’t possible.

Councilor O’Hara said that Mr. Destino is opened to new ideas. **Mr. Destino** added that the parking lots are full every day. He advised the Committee there was an audit done of both Good Harbor and Wingersheek Beach cash system for beach parking, and that by 10:00 a.m. at Wingersheek Beach \$8,000 in cash was taken in and that the reconciliation was off by only \$10. He pointed out that in the same timeframe Good Harbor Beach took in \$12,000 and was spot on.

Councilor O’Hara suggested a process should be started. **Councilor LeBlanc** suggested the formation of an Ad Hoc Committee for Summer Traffic Relief in the City. The matter would be advertised in the Gloucester Daily Times “Goings On” and that they would report back to O&A Committee who would then report the information to the Council.

MOTION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to form an Ad Hoc Committee to study beach traffic and visitor traffic to all areas of Gloucester during the summer season and report back to the O&A Committee with their recommendations. There are to be five members of the Committee. The Committee’s deadline for applications will be March 24.

This matter is continued April 4.



GLOUCESTER CITY COUNCIL 2016 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2015-049
SUBJECT: Petition for road repairs in accordance with GCO Article IV
"Repair of Private Ways" Sec. 21-80 et seq. re: Oxford Road
DATE OPENED: 03/22/16
CONTINUED TO:
CONTINUED FROM: 09/22/15, 10/13/15, 10/27/15
COMMITTEE: B&F 09/03/15, 09/17/15, 10/22/15, 11/12/15, 12/10/15

**ROAD REPAIRS
LEGAL NOTICE
NOTICE OF PUBLIC HEARINGS**

In accordance with the provisions of Code of Ordinances Article IV, Repair of Private Ways, Sec. 21-83 and Sec. 21-84, the Gloucester City Council will hold public hearings on Tuesday, September 22, 2015 at 7:00 p.m. in the Fred J. Kyrouz Auditorium, City Hall, relative to the following:

- A. Petition for road repairs Starknought Heights
- B. Petition for road repairs Starknought Road
- C. Petition for road repairs Oxford Road
- D. Petition for road repairs Joseph's Way

At the Public Hearings, all interested persons will have the opportunity to be heard.

**By Vote of the City Council
Linda T. Lowe, City Clerk**

AD#13328767
CAB 9/11/15

cost resulting from said improvements to be carried out is based on Sec. 21-83, "Funding for approved Construction and Repair." The full cost of this project is not to exceed \$41,000; one hundred percent of the costs shall be borne by abutters and assessed as betterments.

→ 3. PH2015-049: Petition for road repairs in accordance with Article IV "Repair of Private Ways" Sec. 21-80 et seq. re: Oxford Road

This public hearing is opened at 7:09 p.m.

Those speaking in favor:

James Caulkett, 10 Oxford Road, expressed his full support for this paving and repair project. He said that a 51 percent majority of the abutters had voted in favor of the project at a public meeting in October. He said the repaving of the road is a safety issue for all vehicles that travel the road. Potholes continue to grow, worsening pedestrian and vehicle hazards. At less than \$1 a day [the estimated cost of the project to the abutters] it is worth their efforts to support this measure, he said.

Michelle Galante Duason, 12 Oxford Road, said that she and her husband bought a condominium early in 2015 and expressed her support of the road being repaired and paved. Her husband passed away in August, and she described how when her husband was ill how difficult it was for an ambulance to reach them on the poor roadway. She urged the Council to vote in favor of the residents' petition.

Faye Passanisi, 9 Oxford Road, expressed that she was concerned that the abutters completed the process for their petition to meet the letter of the law, and that she attended every meeting. She said despite this, she was told that even though their following the ordinance, voting with a 51 percent abutter majority, that they may not see a positive outcome. She said the repaving was is a safety issue and that they need to see the road fixed—that it is not a matter of aesthetics but a matter of safety, and the road's condition is only getting worse.

Those speaking in opposition:

Janet Rice, 15 Starknaught Road, said her property was at the corner of Oxford Road and Starknaught Road and had 65 feet of frontage on Oxford Road. She explained that currently that part of Oxford Road cuts across the front of her property which creates a zig zag on the road and is not connected to the end of Oxford Road which causes a lot of issues with snow and snow plowing. She said that during this entire process she was never asked for permission to pave across her property. She added that she had repeatedly asked for the road to be moved about 25 feet away from her property for the road to be in its proper surveyed position, and said that she was told the city would never do this. She was told that she could either let the city pave through and over her personal property (about 15,000 square feet) which she noted she has paid real estate taxes on for 30 years or to stop the Oxford Road paving project by not authorizing the city to pave her on her property. She said that although she didn't want to stop the road repair and paving project, and that the city needs good roads, she suggested that no one else has been asked to give 15,000 square feet of their own property. She then proposed that the city Engineer come back to reassess what it would cost to move the 65 feet of roadway to where it is supposed to be connected to the end of Oxford Road. She suggested if they are going to do it, to do it right to prevent future problems. Since she has been told of the two options, she said she would object to the Oxford Road petition and request that the Council not vote to allow the petition to go forward.

Communications: None.

Councilor Questions:

Councilor Stewart asked Ms. Rice to point out on Google maps the location of the house she owns. She approached the dais pointing out her house on 15 Starknaught Road and said that she also owns 13 Oxford Road. She pointed out where she said the road should connect. When asked by **Councilor Stewart** how long the road had been on her property, **Ms. Rice** said she purchased the property 35 years ago and didn't know the road was on her property until 16 years ago when she split the property to build a second house, and at that point she had asked the former DPW Director to move the road off of her property. She said that the former DPW Director had advised her that the abutters of the road would have to go through this process they are currently undertaking.

Councilor Verga, noting that Ms. Rice had indicated she had two options, asked whether, if the Council voted to approve this improvement, Ms. Rice, exercising her property rights, could stop the project from happening on her property. **Chip Payson**, General Counsel, suggested to the Council that there were enough legal issues here to make the proposed project problematic. He indicated there were legal issues to be solved and that it was unclear as to whether the city is able to do this without Ms. Rice's approval. He said she very well may have the ability to stop the project as the road goes across her property. He said it is his understanding that there isn't enough evidence that can say one way or the other.

that she would still own the underlying road. The improved road would run across Ms. Rice's property, and have certain rights inherent with that property ownership.

Glenda Zink, owner of 17 Oxford Road, 17R Oxford Road and two properties on Starknaught Road which she said she will be developing, and needs to bring a water line to it which will require them to go down and around that corner for water access. She said the existing road is broken up hot top and dirt which she added is hardly much of a road at all. She also described issues with the roadway when she built 17R Oxford Road.

Ms. Voltero said that they are in favor of moving the road to where it was originally and asked how they can get the help of the DPW Director to implement this change and pay a bit more to do it the right way. This puts in article 4, Sec. 80 to be 100 percent not 51 percent, and asked that the road be paved in its original location not in the place to where the road has been tracked. If the cost is not significantly different and this matter is continued a month and Mr. Hale gives them another cost estimate then there is no issue, but if it is significantly different the residents should have the opportunity to vote on the new price.

Council President McGeary asked if it was fair to say, leaving aside technical questions, that if legal documents were drawn up that abutters agreed that the relocation of the road to allow the road to pass over their property to change the roadway, that General Counsel would want a written legal document. **Mr. Payson** said, "Absolutely." that there are legal thresholds and requirements that has to be met for that to take place. **Council President McGeary** said if the neighbors were to agree to the legal aspects of relocating the road, had the DPW Director sufficiently examined road to say yes or no if it is technically feasible and have an estimate of costs to move the road. **Mr. Hale** said it would be unfair to guess but suggested that the cost wouldn't be insignificant and would be significantly different than the basic paving price. He said this would be building a new road in essence. **Council President McGeary** asked that if the abutters' legal issues were addressed and the engineering plan was done with an estimate in the next three and a half months could the DPW Director be ready to move the project forward. **Mr. Hale** said a three month timetable would be tight. He asked who would do the work. He reminded the Council his is a petition of private way owners for the city to improve their road, and that the city is partners in the project primarily by managing the money and project for them. **Council President McGeary** said the abutters would bear the cost. He said he understood that an engineering plan is a significant cost and takes significant time. He pointed out that if the abutters were willing to come to an agreement which clears up the legal issues away, the city might find a way to at least to give estimates, understanding they are just that -- estimates. The abutters know what they are buying into, and if a new engineering plan were required it should be included in the cost estimate.

The Council voted unanimously to continue the public hearing to March 22, 2016.

4. PH2015-050: Petition for road repairs in accordance with Article IV "Repair of Private Ways" Sec. 21-80 et seq. re: Joseph's Way

This public hearing is opened at 7:07 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 7:07 p.m.

COMMITTEE RECOMMENDATION: On motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council under Sec. 21-83 of the Gloucester Code of Ordinances that the City is to repair/repave the private way of Joseph's Way. The abutters agree to provide all easements, rights of way, designs, permits and legal certifications necessary for said improvements. The cost resulting from said improvements to be carried out is based on Sec. 21-83, "Funding for approved Construction and Repair." The full cost of this project is not to exceed \$41,000; one hundred percent of the costs shall be borne by abutters and assessed as betterments.

DISCUSSION:

Council President McGeary explained the proposed improvement was part of what was intended to be a four-street project. He said there were some economies by having Joseph's Way as a part of this project. The abutters had met and voted in favor for this project and betterment.

2. **PH2015-048: Petition for road repairs in accordance with Art. IV "Repair of Private Ways" Sec. 21-80 et seq re: Starknaught Road**
3. **PH2015-049: Petition for road repairs in accordance with Art. IV "Repair of Private Ways" Sec. 21-80 et seq re: Oxford Road**
- 4. **PH2015-050: Petition for road repairs in accordance with Art. IV "Repair of Private Ways" Sec. 21-80 et seq re: Joseph's Way**

These public hearings are opened at 7:26 p.m.

Council President McGeary informed the Committee two roads voted to proceed and two other roads' abutters have requested a continuance until Nov. 9 so that they can ensure all abutters were properly noticed of the meeting. He advised that the abutters of Starknaught Heights and Joseph's Way voted in the affirmative and those two petitions will move forward regardless.

These public hearings are continued to December 15, 2015.

5. **PH2015-056: Tax Classification in accordance with MGL c. 40, §56 and GCO Sec. 2-26 to determine the percentage of the local tax levy for the Fiscal Year 2016 to be borne by each class of real and personal property**

This public hearing is opened at 7:28 p.m.

Council President McGeary announced that this matter would be continued to the Nov. 17 City Council meeting.

This public hearing is continued to November 17, 2015.

6. **PH2015-057: Amend Chapter 9, "Trash, Recycling and Litter" by DELETING in Sec. 9-1 the definition of "litter" in its entirety and ADDING a new definition; amend Sec. 9-8 "Littering prohibited" by ADDING a new subsection (e); amend Sec. 9-10 "Penalty for violation of Sec. 9-10" by DELETING Sec. 9-10 in its entirety and ADDING a new Sec. 9-10**

This public hearing is opened at 7:28 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 7:28 p.m.

COMMITTEE RECOMMENDATIONS (3 in total):

COMMITTEE RECOMMENDATION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council AMEND GCO Chapter 9 by DELETING in Sec. 9-1 the definition of "litter" in its entirety and ADDING a new definition as follows:

"Litter means any waste material, including but not limited to tobacco products or parts thereof (other than the ashes), and waste material deposited on or near a waste receptacle which cannot accommodate more waste, and which waste material, if thrown or deposited in a manner prohibited by this Article 9, tends to create a danger to the public health, safety or welfare, or tends to create a danger to the quality of life including an unsightly appearance that would reasonably discourage others from using the property for its intended purpose."

DISCUSSION:

Councilor Stewart said that there is no definition of what constitutes litter that makes sense currently in the Code of Ordinances, so that this amendment proposes a comprehensive definition. It also adds tobacco products, he noted.

MOTION: On a motion by Councilor Whynott, seconded by Councilor Stewart, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to AMEND GCO Chapter 9 by DELETING in Sec. 9-1 the definition of "litter" in its entirety and ADDING a new definition as follows:

• **APPLICATIONS/PETITIONS**

- 1. Special Events Application: Request to hold the 35th Christmas Parade/Tree Lighting Ceremony on November 29, 2015 (Refer P&D)
- 2. Special Events Application: Request to hold the Lighting of the Lobster Trap Tree on December 12, 2015 (Refer P&D)

• **COUNCILORS ORDERS**

- 1. CC2015-036 (LeBlanc) Amend GCO Chapt. 22, Sec. 22-270 "Parking prohibited at all times" re: Emerson Avenue (Refer O&A & TC)
- 2. CC2015-037 (LeBlanc) Request O&A recommend to City Council to amend GZO Sec. VI definition of "Junk Yard" and amend GCO c. 19, Sec. 19-30(b), Sec. 19-32, Sec. 19-1, Sec. 19-1(c), Sec. 19-1(4) (Refer O&A, P&D & PB)
- 3. CC2015-038 (Stewart) Amend GCO c. 22, Sec. 22-269 "Stop Intersections" re: Leonard Street (Refer O&A & TC)

• **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**

- 1. City Council Meeting: September 22, 2015 (Approve/File)
- 2. Standing Committee Meetings: B&F 10/08/15 (no meeting), O&A 10/05/15, P&D 10/07/15 (Approve/File)

Unanimous Consent Calendar:

- 1. CC2015-039 (McGeary) Amend GZO Sec. 5.5 "Lowlands Requirements" (Refer P&D & PB)
- 2. CC2015-040 (Ciolino) Amend GZO to create an "Atlantic Road Overlay District" (Refer P&D & PB)

Items to be added/deleted from the Consent Agenda & Unanimous Consent Calendar:

Councilor Cox highlighted Item #4, City Council acceptance of a Boating Infrastructure Grant (BIG) under the Mayor's Report for discussion purposes only. She noted that the B&F Committee will be looking for a diagram or schematic to better understand how the grant funds will be utilized.

Council President McGeary highlighted Item #1 and #2 under the Unanimous Consent Agenda for discussion purposes only. He explained the two items were Council Orders filed by him and Councilor Ciolino stemming from a proposal to build a house on the ocean side of Atlantic Road. He said his order would reinstate the Special Council Permit process for residences being built in a federally defined flood zone throughout the city. He also highlighted that Councilor Ciolino's order would create an Atlantic Road Overlay District to protect that specific area. He asked the Council to allow him to include in the Council's record the submission by John Feener, under Oral Communications which he said talks about conservation restrictions and how to place them on properties.

By unanimous consent the Consent Agenda and Unanimous Consent Calendar was accepted as presented.

Committee Reports:

Budget & Finance: October 8, 2015 – No meeting.

Ordinances & Administration: October 5, 2015

Councilor Whynott reported there were no matters for Council action under this heading from this meeting.

Planning & Development: October 7, 2015

Councilor Verga announced there were no matters for Council action under this heading from this meeting.

Scheduled Public Hearings:

- 1. PH2015-043: Amend GCO Sec. 22-279 "Thirty minute parking" re: Atlantic Road (TBC 11/17/15)

This public hearing is opened at 8:03 p.m.

This public hearing is continued to November 17, 2015.

- 2. PH2015-047: Petition for road repairs in accordance with Art. IV "Repair of Private Ways" Sec. 21-80 et seq re: Starknaught Heights (TBC 10/27/15)
- 3. PH2015-048: Petition for road repairs in accordance with Art. IV "Repair of Private Ways" Sec. 21-80 et seq re: Starknaught Road (TBC 10/27/15)
- 4. PH2015-049: Petition for road repairs in accordance with Art. IV "Repair of Private Ways" Sec. 21-80 et seq re: Oxford Road (TBC 10/27/15)
- 5. PH2015-050: Petition for road repairs in accordance with Art. IV "Repair of Private Ways" Sec. 21-80 et seq re: Joseph's Way (TBC 10/27/15)

These public hearings are opened at 8:05 p.m.
These public hearings are continued to October 27, 2015.

6. **PH2015-044: SCP2015-006: Pond Road #5, Map 264, Lot #39, GZO Sec. 2.3.5(1) for the use of a Junk Yard in the GI District (Cont'd from 09/08/15 & 09/22/15)**
7. **PH2015-PH2015-045: SCP2015-006: Pond Road #19, Map 264, Lot #39, GZO Sec. 2.3.5(1) for the use of a Junk Yard in the GI District (Cont'd from 09/08/15 & 09/22/15)**

These public hearings are opened at 8:06 p.m.

Those speaking in favor:

Attorney Patricia Johnstone, 14 Pleasant Street, representing Northshore Scrap Steele, LLC, explained as follows:

This is two Special Council Permit applications are essentially one because the business operates at two sites. At 5 Pond Road North Shore Scrap Steele conducts its business with the public. It is at this location on the access road to the City Hall Annex that the business has its scales and boxes for precious metals where the metals are weighed and separated. Those metals were noted to be kept on the premises. If larger items are delivered such as refrigerators, cars and propane tanks, they are taken in at 5 Pond Road but are promptly removed. She noted in the application submitted to the Council (on file) there is a description of the process where a car brought to Northshore Scrap Steele is taken off site to Meineke to be stripped, have any fluids removed. The shell of a car is then returned to Northshore Scrap Steele and stored at 19 Pond Road at the rear of the property. Propane tanks are immediately removed and brought to Foster's on Eastern Avenue where any remaining propane is expelled. The empty tank is then returned to Northshore Scrap Steele and also stored at 19 Pond Road. Any refrigerators are immediately taken off site to Second Street Iron & Metal in Everett. There are no liquids kept at either 5 or 19 Pond Road.

Ms. Johnstone reported that her client has gone through the Conservation Commission (ConCom) permitting process for both Pond Road parcels and has received approval for both sites as not subject to the ConCom restrictions. She noted that meetings were held with the Building Inspector and that she has also attempted to address the concerns of an abutter, Leslee Shlopak, owner of Pond Road #21 (letter of opposition from Ms. Shlopak related to SCP2015-005 and -006 applications on file). She said she had hoped to have a meeting with Ms. Shlopak and her attorney but said she was unable to arrange that. She advised that her client will install a security camera at 19 Pond Road, as well as lighting and fencing around the property as requested by the Building Inspector. Also to be installed are an opaque covering for fencing fronting the property, where a gate will also be installed along with signage. **Ms. Johnstone** said such actions by her client should reassure Ms. Shlopak. She gave the Council a copy of the easement on 19 Pond Road from the Registry of Deeds and said that it is noted in the easement that the grantee, 19 Pond Road owned by Paul Butman, and Northshore Scrap Steele's landlord, would take care of any damage and repair and be responsible for any accidents and subject to any liability and would indemnify Ms. Shlopak under the easement terms. She said it is her belief that they have addressed all the concerns raised by Ms. Shlopak in her letter.

Ms. Johnstone pointed out that her client received licensing through the city's Licensing Commission. During that process discussions were held with the Police Chief and the Fire Chief. She said it was clear that her client works with the Gloucester Police Department and, as an example, noted that if medallions are stolen off of city gravesites that her client works with the police and alerts the police should anyone try to sell such stolen articles. She said if there was any transaction that appeared questionable to her client he has reported it to the GPD immediately as well as working with other communities' police departments. She cited also that her client deals with many of the businesses on Pond Road, around Gloucester, and other nearby North Shore communities to take in items and process them promptly.

Those speaking in opposition:

Leslee Shlopak, owner of 21 Pond Road through 21 Pond Road LLC and Gloucester resident, said she was objecting to the permitting of a Special Council Permit to Northshore Scrap Steele, for 19 Pond Road to maintain a scrap metal business and use of a junk yard through the rental of land at 19 Pond Road.

Referencing the easement agreement **Ms. Johnstone** referred to, she confirmed it is an easement that accesses the road that she granted to 19 Pond Road for the emergency access at the time she granted the easement for another tenant of Mr. Butman, Beauport Ambulance, to access a gravel roadway that went up to the Blackburn Industrial Park if that company's vehicles were unable to access Eastern Avenue. She said there was liability and use of the easement which she added she still has questions about. She described the roadway as an unpaved roadway unsuited for the heavy machinery and large trucks vehicles that are used for the delivery and removal of the scrap metal.

Councilor Verga reported that there were no matters from the Sept. 16 meeting for action by the Council at this time.

Scheduled Public Hearings:

- 1. PH2015-043: Amend GCO Sec. 22-279 "Thirty minute parking" re: Atlantic Road (TBC 10/13/15)

This public hearing is opened at 7:39 p.m. and continued to October 13, 2015.

- 2. PH2015-047: Petition for road repairs in accordance with Article IV "Repair of Private Ways" Sec. 21-80 et seq re: Starknaught Heights
- 3. PH2015-048: Petition for road repairs in accordance with Article IV "Repair of Private Ways" Sec. 21-80 et seq re: Starknaught Road
- 4. PH2015-049: Petition for road repairs in accordance with Article IV "Repair of Private Ways" Sec. 21-80 et seq re: Oxford Road
- 5. PH2015-050: Petition for road repairs in accordance with Article IV "Repair of Private Ways" Sec. 21-80 et seq re: Joseph's Way

These public hearings are opened at 7:40 p.m. and continued to October 13, 2015.

- 6. PH2015-051: SCP2015-004: Maplewood Avenue #120 (Maplewood Avenue School) Map 39, Lot 4, GZO Sec. 2.3.1(8) conversion to or new multi-apartment dwelling, seven or more dwelling units; Sec. 5.7.1 Major Project; Sec. 1.10.1(a)(1) increase in building height over 35 feet; Sec. 1.10.1(a)(3)

This public hearing is opened and continued to October 13, 2015 at the request of the Applicant.

- 7. PH2015-044: SCP2015-006: Pond Road #5, Map 264, Lot #39, GZO Sec. 2.3.5(1) for the use of a Junk Yard in the GI District (Cont'd from 09/08/15)
- 8. PH2015-045: SCP2015-007: Pond Road #19, Map 265, Lot 36, GZO Sec. 2.3.5(1) for the use of a Junk Yard in the GI District (Cont'd from 09/08/15)

These public hearings are opened at 7:40 p.m. and continued to October 13, 2015.

Linda T. Lowe, City Clerk noted that these public hearings were continued to the specific date through a written request by the applicant's attorney received by her office and placed on file.

- 9. PH2015-052: Amend GCO Chapter 22, Sec. 22-230 "Downtown parking permits"

This public hearing is opened at 7:42 p.m.

Those speaking in favor: None.

Those speaking on opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 7:42 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-230 "Downtown parking Permits" by DELETING: "The fee for downtown permit parking for all ten-hour meters, shall be per person, for those having a valid business in the city is as follows:

- (1) \$50.00 per month; or
- (2) \$600.00 annually.

AND ADDING

"The fee for downtown permit parking for all ten-hour meters and for municipal parking lots, where 10-hour parking is permitted, shall be per person, for those having a valid business in the city as follows:

- (1) \$50.00 per month; or

Budget & Finance Committee
Thursday, December 10, 2015 – 5:00 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Melissa Cox; Vice Chair, Councilor William Fonvielle; Councilor Paul McGeary
Absent: None.
Also Present: Kenny Costa; Jim Destino; John Dunn; Emily Freedman; Lucy Sheehan; Noreen Burke; Matt Coogan

The meeting convened at 5:04 p.m. Matters were taken out of order.

- ➔ 1. *Petitions for road repairs in accordance with GCO Article VI “Repair of Private Ways,” Sec. 21-80 et seq. (Cont’d from 10/22/15)*
A) *Starknaught Heights; B) Starknaught Road; C) Oxford Road; D) Joseph’s Way*

Councilor McGeary said everything is in place except that the DPW Director will be producing an engineering plan to meet the requirements of the ordinance which Jim Destino, CAO, confirmed would be on file with the Council by their Tuesday, Dec. 15 meeting.

COMMITTEE RECOMMENDATION: On motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to allow the withdrawal of the Petition brought forward by the abutters of Starknaught Road under Sec. 21-83 of the Gloucester Code of Ordinances to repair/repave that private way without prejudice.

COMMITTEE RECOMMENDATION: On motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council under Sec. 21-83 of the Gloucester Code of Ordinances that the City is to repair/repave the private way of Starknaught Heights. The abutters agree to provide all easements, rights of way, designs, permits and legal certifications necessary for said improvements. The cost resulting from said improvements to be carried out is based on Sec. 21-83, “Funding for approved Construction and Repair.” The full cost of this project is not to exceed \$145,000; one hundred percent of the costs shall be borne by abutters and assessed as betterments.

COMMITTEE RECOMMENDATION: On motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council under Sec. 21-83 of the Gloucester Code of Ordinances that the City is to repair/repave the private way of Oxford Road. The abutters agree to provide all easements, rights of way, designs, permits and legal certifications necessary for said improvements. The cost resulting from said improvements to be carried out is based on Sec. 21-83, “Funding for approved Construction and Repair.” The full cost of this project is not to exceed \$57,000; one hundred percent of the costs shall be borne by abutters and assessed as betterments.

COMMITTEE RECOMMENDATION: On motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council under Sec. 21-83 of the Gloucester Code of Ordinances that the City is to repair/repave the private way of Joseph’s Way. The abutters agree to provide all easements, rights of way, designs, permits and legal certifications necessary for said improvements. The cost resulting from said improvements to be carried out is based on Sec. 21-83, “Funding for approved Construction and Repair.” The full cost of this project is not to exceed \$41,000; one hundred percent of the costs shall be borne by abutters and assessed as betterments.

2. *Memo and Loan Order from the Chief Financial Officer re: Road Betterment Project proposed for Starknaught Heights, Oxford Road and Joseph’s Way*

John Dunn, CFO, explained that this loan order is in conjunction with the petitions moving forward for the road betterment projects just voted on by the Committee. The loan order will be paid back in full by the abutters of the three private roads being bettered, that being Starknaught Heights, Oxford Road and Joseph’s Way. If for some reason any road may be unable to move forward by the time of the Dec. 15 Council meeting, Councilor Cox

Budget & Finance Committee
 Thursday, November 12, 2015 – 5:00 p.m.
 1st Fl. Council Committee Room – City Hall
 -Minutes-

Present: Chair, Councilor Melissa Cox; Councilor Paul McGeary; Councilor William Fonvielle

Absent: None.

Also Present: Kenny Costa; Jim Destino; John Dunn; Mike Hale; Nancy Papows; Beth Godinho; Tim Good; Gary Johnstone; Emily Freedman; Stacie Nicastro; Debbie Laurie; Councilor Elect Val Gilman; Councilor Elect Jamie O'Hara

The meeting convened at 5:00 p.m.

- ➔ 1. *Petitions for road repairs in accordance with GCO Article VI "Repair of Private Ways," Sec. 21-80 et seq. (Cont'd from 10/22/15)*
 A) Starknaught Heights; B) Starknaught Road; C) Oxford Road; D) Joseph's Way

This matter is continued to December 10, 2015.

2. **Police Department**

- A) *Memo, Grant Application & Checklist from Police Chief re: Council approval to apply for FY16 911 Support & Incentive Grant for \$61,795*

This matter is for information only. The grant applied for is under \$100,000 with no match, per ordinance.

- B) *Memo, Grant Application & Checklist from Police Chief re: acceptance of U.S. DEA Overtime Funding for FY16 for \$17,548*

Ms. Nicastro noted that this is an annual reimbursement grant from the U.S. Drug Enforcement Administration (DEA) for a Gloucester police officer's overtime for FY16. This is a longstanding agreement between the Gloucester Police Department and the DEA, as well as with other communities that participate in the program. There is no match, she noted. Differing percentages of funds gained from the cases that the officer who works with the DEA closes come to the Police Department, Ms. Nicastro said. Councilor Cox asked for a recent accounting of funds gained by the city due to forfeitures and seizures. She said she understood a portion of it is helping to fund the Police Department's highly successful Angel Program Jim Destino, CAO, assured funds gained from forfeitures and seizures through this program are being spent appropriately by the Police Department and are used for things like department vehicles, to fix cell doors, etc. Ms. Nicastro added that there are still quite a few pending cases awaiting decisions.

MOTION: On a motion by Councilor Fonvielle, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council accept under MGL c. 44, §53A a grant from the United States Department of Justice Drug Enforcement Administration (DEA) FY15 Organized Crime Drug Enforcement Task Force for up to \$17,548, reimbursing the City Of Gloucester Police Department (GPD) for overtime by a GPD officer.

3. *Correspondence from Mass. Cultural Council re: transfer of FY16 Local Cultural Council Funding for FY16 for \$7,600 & acceptance of said funds*

The annual reporting for the local Cultural Council is handled through the Auditor's Department for this annual grant from the Massachusetts Cultural Council. In turn the local Cultural Council gives the money out through their own grant program by state guidelines.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, Sec. 53A a grant from the Massachusetts Cultural Council in the amount of \$7,600 to the Gloucester Cultural Council for the purpose of supporting FY16 cultural projects in the City of Gloucester by the Gloucester

Budget & Finance Committee
Thursday, October 22, 2015 – 5:00 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Melissa Cox; Councilor Paul McGeary; Councilor William Fonvielle
Absent: None.

Also Present: Kenny Costa; Jim Destino; John Dunn; Police Chief Leonard Campanello; Mark Cole; Fire Chief Eric Smith; Harbormaster Jim Caulkett; Tony Gross; Matt Coogan; Carol Thistle

The meeting convened at 4:33 p.m.

- 1. *Petitions for road repairs in accordance with GCO Article VI "Repair of Private Ways," Sec. 21-80 et seq. (Cont'd from 09/17/15)*
- A) Starknaught Heights
 - B) Starknaught Road
 - C) Oxford Road
 - D) Joseph's Way

Councilor McGeary informed the Committee that he has scheduled a meeting of abutters for 6 p.m. on Tuesday, Oct. 27 in order to ensure compliance with the Code of Ordinances and have the abutters revoke their commitment to have their roads repaved through the city's betterment program. He suggested there could be a meeting of the Budget & Finance Committee to follow at 6:45 p.m. so that the Committee could vote to put the streets forward under a public hearing already opened and continued. The Committee, Jim Destino, CAO, and John Dunn, CFO, discussed procedural issues and financing by a loan order to be paid through the betterments of the abutters, the Committee decided after assurance by Mr. Destino and Mr. Dunn, that a loan order would come through the next Mayor's Report tailored to the results of the abutters' Oct. 27 meeting, that the matter would be continued to November 12, but that in all likelihood a vote of the Committee on both putting the petitions forward and a loan order would come through their Dec. 10 meeting and be finalized through a continued public hearing on Dec. 15.

This matter is continued to November 12, 2015.

Police Department:

2. *Memo, Grant Application & Checklist from Police Chief: City Council acceptance of a FY16 State 911 EMD & Training Grant in the amount of \$154,032.55*

Police Chief Leonard Campanello asked that the B&F Committee accept this annual grant from the Mass. State 911 Department for FY16 Emergency Medical Dispatch (EMD) and Training Grant in the amount of \$154,032.55. He said that this is simply the acceptance, reminding the Committee he had been before them for permission to apply for the grant on Sept. 17.

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed, to accept under MGL c. 44, §53A from the Massachusetts Executive Office of Public Safety and Security, a FY16 State 911 Department Training Grant and Emergency Medical Dispatch/Regulatory Compliance Grant for \$154,032.55. The grant period of this grant is from August 31, 2015 through June 30, 2016.

DPW:

3. *Supplemental Appropriation-Budgetary Request (2016-SA-4) from the DPW*

Mark Cole, Assistant Public Works Director, said this is the last transfer of the paving season in order to finish up remaining projects for sidewalks and road paving. Railroad Avenue and Granite Street will be done by month's end, he noted. Mr. Destino pointed out the funds being transferred come from road opening permit fees.

Budget & Finance Committee
Thursday, September 17, 2015 – 5:00 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Melissa Cox; Councilor Paul McGeary; Councilor William Fonvielle
Absent: None.

Also Present: Kenny Costa; Jim Destino; John Dunn; Leonard Campanello; Tom LaFleur; Dr. Richard Safier; Jonathan Pope; Mark Cole

The meeting convened at 5:02 p.m.

→ 1. *Petitions for road repairs in accordance with GCO Article VI "Repair of Private Ways," Sec. 21-80 et seq. (Cont'd from 09/03/15) TBC 10/08/15*

- A) Starknaught Heights
- B) Starknaught Road
- C) Oxford Road
- D) Joseph's Way

This matter is continued to October 8, 2015.

(At this time, the agenda was taken out of order.)

3. *Memorandum from Police Chief re: City Council approval to apply for a FY16 State 911 EMD & Training Grant*

Police Chief Leonard Campanello stated that this is a reimbursement training grant that applies to all officers who are mandated by the state to learn the 911 system and take EMD (emergency medical dispatch) training. He indicated that the trouble with this grant is that the officers train throughout the year but they cannot apply for the grant until the end of the fiscal year. He stated that they applied for \$49,000 for FY15 on May 11th and \$67,000 on June 30th but no money has come in yet. There was a discussion about covering the gap for FY12, 13 and 14. Councilor Cox requested a total for those years so that the CFO can find funds to fill the gap before the end of the year. Chief Campanello stated that he would like to make one more plea to the state for those funds.

MOTION: On a motion by Councilor Fonvielle, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit the Gloucester Police Department to pursue a State Grant opportunity from the Massachusetts Executive Office of Public Safety and Security, a FY16 State 911 Department Training Grant and Emergency Medical Dispatch/Regulatory Compliance Grant for a total of \$154,032.55.

4. *Memorandum from Assistant Director of Public Works re: City Council approval to pay invoices from FY15 with FY16 Funds*

Mark Cole, Assistant Public Works Director, reviewed the unpaid FY15 invoices and explained that generally, during the last couple of weeks of June, Shirley starts calling vendors to see if there are any outstanding invoices that need to be carried over. There was a discussion about late fees and whether they should be included in the motion. Mr. Destino stated that the DPW should be doing a better job of keeping track of when National Grid invoices are coming in. However, in their defense, he stated that they are now handling hundreds of individual National Grid bills, which is not easy to manage.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council in accordance with MGL c. 44, §64 approve payment of prior year invoices for out-of-town policed detail services rendered in FY15 to be paid with FY16 funds as follows from the current 2016 DPW Water Enterprise Fund Contract Services Account, #610000.10.450.52000.0000.00.000.00.052 for a total of \$984.00 as follows:

Budget & Finance Committee
Thursday, September 3, 2015 – 3:30 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Melissa Cox; Councilor Paul McGeary

Absent: Councilor Fonvielle

Also Present: Kenny Costa; Jim Destino; John Dunn; Jim Caulkett; Lucy Sheehan; Jim Hafey; Mike Hale

The meeting convened at 3:30 p.m. Matters were taken out of order.

- 1. *Petitions for road repairs in accordance with GCO Article VI "Repair of Private Ways," Sec. 21-80 et seq. (Cont'd from 08/20/15)*
- A) Starknaught Heights
 - B) Starknaught Road
 - C) Oxford Road
 - D) Joseph's Way

Councilor McGeary discussed with Mike Hale, DPW Director and John Dunn, CFO, the need to further review and revise several areas of GCO Article VI, "Repair of Private Ways," due to some ambiguities found in the language of the Article. Councilor Cox said she understood there wasn't a rush to move this matter forward but that there is a timing issue according to the current ordinance to have these matters placed before the Council, which Councilor McGeary confirmed.

Mr. Dunn said he had submitted a loan authorization for this project to Bond Counsel, and it was the recommendation of Bond Counsel that the loan authorization be reviewed in context of the ordinance by the City Council. The matter is now with the city's General Counsel for review. Reiterating his concern regarding the language of GCO Article VI, "Repair of Private Ways" he indicated he and General Counsel will go through the ordinance and make recommendations for revising the ordinance language to the City Council.

Councilor Cox asked if the Committee is ready to move the matter forward after having heard at the last B&F Committee meeting the views of the DPW Director on these petitions. Mr. Dunn advised that without the loan order being moved forward to Council in conjunction with the petitions the Council can't move on them.

Councilor McGeary and Mr. Destino discussed ensuring that all the necessary documentation is in order to move these matters forward to public hearing.

It was also confirmed by Mr. Hale that these paving projects would not be able to completed in this paving season.

This matter is continued to September 17.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Cox, the Budget & Finance Committee voted 2 in favor, 0 opposed to advertise to advertise for public hearing the Petitions for road repairs in accordance with GCO Article VI "Repair of Private Ways," Sec. 21-80 et seq. for Starknaught Heights, Starknaught Road, Oxford Road and Joseph's Way for the September 22, 2015 City Council meeting.

2. *Grant Application & Checklist from Council on Aging re: Council acceptance of Title III B Older Americans' Act for \$7,521*

Lucy Sheehan, Senior Center Director, said that this is an annual grant received through SeniorCare which funds supplemental hours and part-time salary for an Outreach Community Education Worker at the Rose Baker Senior Center. This grant is for federal fiscal year 2016, it was noted. This grant requested was for \$10,000 but that